

THE
BOMBAY OPIUM MANUAL, 1905,

CONTAINING

THE OPIUM ACT, 1878 (I of 1878),

WITH

THE RULES AND NOTIFICATIONS THEREUNDER
IN FORCE

IN THE

BOMBAY PRESIDENCY.

(Corrected up to the 1st April 1905.)



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1905.

Act No. 1 of 1878.
THE OPIUM ACT, 1878.

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SCHEDULE.—[Repealed.]

ACT No. I of 1878.

An Act to amend the Law relating to Opium.

WHEREAS it is expedient to amend the law relating to Opium ;
Preamble. it is hereby enacted as follows :—

Short title. 1. This Act may be called “The
Opium Act, 1878.”

It shall extend to such local areas as the Governor General in
Local extent. Council may, by notification in the
Gazette of India, from time to time
direct ;

And it shall come into force in each of such areas on such day
Commencement. as the Governor General in Council in
like manner directs in this behalf.

The Act came into force in the territories administered by the Governor of
Bombay in Council on the 1st April 1878.—Government of India Notification
No. 1988, dated the 22nd March 1878.

The Act came into force in the territory of Poind on the 1st April 1887.—
Government of India Notification No. 480, dated the 10th March 1887.

The Opium Act having by the Notification of the Government of India
No. 1988 of the 22nd March 1878 been applied to Aden as to other portions
of the territory administered by the Government of Bombay, any rules that
may from time to time be framed and published under the Act apply to Aden.
(G. R., R. D., No. 8899, dated 4th December 1883.)

The Act has been extended to the Island of Perim where it came into force
on the 18th October 1886.—Government of India Notification No. 2362-E.,
dated the 18th October 1886.

2. (Repeal and amendment of enactments.) Repealed by the
Repealing and Amending Act, 1891 (XII of 1891), and the Re-
pealing and Amending Act, 1894 (IV of 1894).

3. In this Act, unless there be something repugnant in the
Interpretation-clause. subject or context—

“Opium” includes also poppy-heads, preparations or admix-
tures of opium, and intoxicating drugs
“Opium.” prepared from the poppy :

“Magistrate” means, in the Presidency-towns, a Presidency
Magistrate, and elsewhere a Magistrate
“Magistrate.” of the first class or (when specially

empowered by the Local Government to try cases under this
Act) a Magistrate of the second class :

"Import" means to bring into the territories administered by any Local Government from sea, or from foreign territory, or from a territory administered by any other Local Government :

"Export" means to take out of the territories administered by any Local Government to sea, or to any foreign territory or to any territory administered by another Local Government :

"Transport" means to remove from one place to another within the territories administered by the same Local Government.

4. Except as permitted by this Act, or by any other enactment relating to opium for the time being in force, or by rules framed under this Act or under any such enactment, no one shall—

Prohibition of poppy-cultivation and possession, &c., of opium.

- (a) cultivate the poppy ;
- (b) manufacture opium ;
- (c) possess opium ;
- (d) transport opium ;
- (e) import or export opium ; or
- (f) sell opium.

5. The Local Government, with the previous sanction of the Governor General in Council, may, from time to time by notification in the local Gazette, make rules consistent with this Act to permit absolutely or subject to the payment of duty or to any other conditions and to regulate within the whole or any specified part of the territories administered by such Government, all or any of the following matters—

- (a) the cultivation of the poppy ;
- (b) the manufacture of opium ;
- (c) the possession of opium ;
- (d) the transport of opium ;
- (e) the importation or exportation of opium ; and
- (f) the sale of opium, and the farm of duties leviable on the sale of opium by retail :

Provided that no duty shall be levied under any such rule on any opium imported and on which a duty is imposed by or under the law relating to sea customs for the time being in force or under section 112.

Revenue Department, Government Notification No. 4472A., dated 3rd June 1885.—In exercise of the powers conferred by sections 5 and 13 of the Opium Act, 1878, and in supersession of all previous rules made under the same sections, the Governor in Council is pleased, with the previous sanction of the Governor General in Council, to make the following rules for regulating the traffic in opium in the Bombay Presidency (namely):

Preliminary.

Short title.

1. These rules may be cited as the Bombay Opium Rules.

2. In these rules, unless there be something repugnant in the subject or context,—

- (1) "Opium" has the meaning defined in the Act;
- (2) "Commissioner" means in the Province of Sind the Commissioner in Sind and elsewhere in the Presidency of Bombay, the Commissioner of Customs, Salt, Opium and Akkari; (substituted by Government Notification No. 3015 of 11th June 1902, R. D., published at page 921 of the *Bombay Government Gazette*, Part I, dated the 12th June 1902).
- (3) "Collector" means any revenue officer in independent charge of a district, and, within the limits of the town of Bombay, the Collector of Customs: it also includes any Assistant Collector, Deputy Collector or Assistant Collector of Customs duly authorized by such Collector to perform all or any of the duties imposed on a Collector by these rules;
- (4) "farmer" means a person who has obtained from the Collector a farm under Rule 43;
- (5) "licensed vendor" means a person who has obtained a license for retail vend under Rule 39 or 45;
- (6) "presidency of Bombay" includes Sind;
- (7) "town of Bombay" means the area comprised in the limits of the jurisdiction of the Presidency Magistrates;
- (8) "warehouse" means the Bombay Opium Warehouse appointed by the Governor in Council in Government Notification No. 2205, dated 16th March 1885 (published in the *Bombay Government Gazette* of 19th idem, page 341), under section 7, clause (c), of the Act, for the storage and deposit of opium legally imported into and intended for exportation by sea from the Presidency of Bombay.

Cultivation and Manufacture.

3. The cultivation of the poppy and, except as provided in Rules 22, 39, 43 and 44, the manufacture of opium for sale or export are prohibited within the Presidency of Bombay.

[*Imperatrix v. Kangle Assv.*—Where a person who had purchased opium from a licensed dealer, and, from such opium, had made a preparation called chandul, for his domestic use, was convicted of an offence in contravention of the rules prescribed and made by Government under the Opium Act I. of 1878 (*vide Bombay Government Gazette* for 1885, Part I, pages 704 to 715):

Held, that the conviction was bad, and that Rules 3 and 4 (1), read together, must be construed as permitting the manufacture of chandul, by a person for his own domestic use, from opium licitly obtained.

[Criminal Ruling No. 42, dated 12th October 1893. Candy and Fulton, JJ.]

Possession.

4. Except as provided in Rules 5 and 6, or by a special order of the Commissioner under Rule 11,—

- (i) no person shall have in his possession any opium other than—
 - (a) opium purchased from Government, or from a farmer or licensed vendor, or under Rule 36, or
 - (b) a preparation or admixture made for his own domestic use from opium so purchased;
- (ii) Save as provided in Rule 60,* no person, not being a farmer or licensed vendor, shall have in his possession more than—
 - (a) five sers of poppy heads, or
 - (b) three tolas of crude opium or intoxicating drugs prepared from the poppy, or such quantity of any preparation or admixture of opium, other than preparations or admixtures used for smoking such as chandul or madat, as may contain more than three tolas of crude opium. [Substituted by Government Notification No. 8334, dated 16th November 1897].
- (iii) No person shall have in his possession any such quantity of any preparation or admixture of opium or containing opium, capable of being used for smoking, whether known by the name of chandul or madat or otherwise, as, in the aggregate weight of all its ingredients whether opium, water or any other substance whatsoever, exceeds or tola.

Explanation :—Any such substance which can be smoked subject to the application of any merely mechanical process such as heating is capable of being used for smoking within the meaning of this rule.

(Substituted by Government Notification, Revenue Department, No. 281 dated 15th January 1901.)

5. Rule 4 does not apply to—

- (i) opium in transit covered by a permit under Rule 7;
- (ii) opium lawfully imported—
 - (a) during transit to its destination;
 - (b) when warehoused under the provisions of Rule 21.
- (iii) (c) Opium imported into Ahmedabad under Rule 13A and possessed subject to such conditions as the Commissioner may prescribe, by an authorized agent of His Highness the Maharaja of Dongar, for the disposal. (Added by Government Notification No. 229, dated 10th January 1896).

6. The Collector may grant—

- (a) to any medical practitioner residing within his district, a licence in the Form numbered A, hereto annexed, for the possession of opium for medical purposes only (in such quantity as the Collector may fix which, except in any special case in which

(Commissioner may authorize a larger quantity, shall not exceed one ser *),

- (b) to any person, a special permit authorizing him, for a specified period, to have in his possession for private consumption only a specified quantity of [a] opium other than any preparation or admixture used for smoking, in excess of three tolas. [a]

The Collector, with the sanction of the Commissioner, may delegate to the Mámldár, or other chief Revenue officer of a táluks, the power of granting special permits given him by sub-clause (b) of this rule under such restrictions and subject to such instructions as he may think fit. (Added by Government Notification No. 401, dated 18th January 1893, published at page 30 of the *Bombay Government Gazette*, Part I, dated 19th idem.)

Transport.

7. Save as provided in Rule 60,† the transport from one place to another within the Presidency of Bombay of any quantity of opium exceeding [a] three tolas or poppy heads exceeding 5 sers in weight [a] is prohibited, except under cover of a permit in Form B, hereto annexed, or in such other form as the Commissioner from time to time prescribes, granted—

- (a) in the case of opium to be transported from one place to another within the town of Bombay, or from any place within to any place without the town of Bombay, by the Collector;
- (b) in the case of opium to be transported from any place in the presidency, outside the town of Bombay to the town of Bombay, or to any other place in the presidency, by the Collector of the place from which it is to be despatched:

Provided that—

- (1) in the case of opium imported into the town of Bombay, the permit to cover transport from the railway-station to the warehouse may be endorsed on the pass referred to in Rule 16;
- (2) in the case of opium to be exported by sea, the permit to cover transport from the warehouse to the place of shipment may be endorsed on the shipping bill;
- (3) in the case of opium removed from a Government depôt to a retail shop, a permit in the Form C, hereto annexed, or in such other form as the Commissioner from time to time prescribes may be granted by the officer in charge of such depôt.

8. Except in the case of transport from one place to another within the town of Bombay or within any district, no such permit shall be granted unless the person applying for it can produce a written permission so to apply, signed—

- (a) if transport to a place within the town of Bombay be applied for,—by the Collector of Customs;

* Added by Government Notification No. 4561, dated 24th June 1893, page 559 of *Bombay Government Gazette*, Part I, of 29th idem.

† *Vide* Government Notification No. 5515, dated 31st July 1893, page 688, *Bombay Government Gazette*, Part I, dated 3rd August 1893.

[a-a] Substituted by Government Notification No. 6834, dated 16th November 1897, page 1334 of *Bombay Government Gazette*, Part I, of 18th idem.

(b) if transport to any district be applied for,—by the Collector of such district.

A copy of the permit granted shall be sent—

in case (a), to the Collector of Customs ;

in case (b), to the Collector of the district to which the opium is to be transported :

Provided that for the transport from the City of Bombay of preparations of opium for *bond fide* medical purposes, it shall not be necessary to produce a written permission signed by the Collector of the district to which a transport is applied for. (Modified by Government Notification No. 9114, dated 19th November 1895, page 1170 of *Bombay Government Gazette*, Part I, of 21st idem.)

9. No package containing opium shall be opened during transport.

10. The permit and the packages shall, on arrival, be presented for examination to the Collector.

11. If, after examination, the Collector concludes that the packages have not been opened or tampered with in transit, if their number is complete, and if they be found to be of the full weight specified in the pass (less such allowance for dryage, if any, as the Local Government from time to time prescribes), the packages may be dealt with by the owner as the law or these rules allow, the permit being retained by the examining officer. Otherwise the packages shall be detained and dealt with as the law or the orders of any duly authorized authority may direct.

Import.

11. No opium shall be imported into the Presidency of Bombay by sea except in whole or half-chests for re-exportation as provided by Rule 29.

Provided, however, that at the port of Bombay only opium may be imported otherwise than in whole or half-chests for re-exportation, subject in all cases to payment of the full duty imposed by the Sea Customs Tariff for the time being in force and to any special orders passed by the Commissioner as to subsequent possession and disposal of the opium imported.

12. No opium shall be imported into the Presidency of Bombay by land, unless it be :

(a) broked through by railway for re-exportation to other parts of British India or to Native States :

(b) for exportation by sea from the port of Bombay :

(c) for retail sale by licensed vendors, in any district in which the direct importation of opium for such sale is sanctioned by the Local Government, and subject to any conditions which the Local Government may from time to time prescribe :

Provided that any opium imported for either of the purposes mentioned in clause (b) and clause (c) may, after it reaches its destination in the Presidency of Bombay, and with the permission in writing of the Collector, be dealt with in any other way permitted by the law for the time being in force. But, subject to any conditions which the Local Government may prescribe in this behalf, permission shall not be granted by the Collector until the difference between the duty on the opium in question, calculated at the rates in force

the date of the application, on opium intended for exportation and on opium intended for retail sale, respectively, shall have been recovered or refunded, as the case may be.

** Government Notification No. 5365 of 8th May 1878, modified by Notification No. 8167, dated 21st November 1882.*

His Excellency the Governor in Council is pleased to permit the direct importation of opium from Málwa into the town of Bombay for retail sale in the said town by persons duly licensed there to retail opium subject to the following conditions :—

- (a) All opium so imported shall be subject to the rate of duty notified from time to time under section 6 of the Opium Act, 1878, to be leviable on opium imported into the Presidency of Bombay for consumption therein, and payment of the duty leviable thereon shall be made in accordance with the provisions of the rules made under section 5 of the Opium Act.
- (b) All opium so imported shall, on arrival at Bombay, be deposited either in the Government opium godown, or in the licensed shop of the licensed vendor importing the same.
- (c) Opium deposited in the Government godown will remain there at the risk of the importer, who shall be at liberty to keep it in his own boxes and under his own keys and crabs, and to remove it in reasonable quantities at a time to his shop as he requires it for use; but he shall not be entitled to have access to the godown except during office hours, nor without special permission from the Collector of Customs oftener than twice a week.
- (d) The quantity of opium to be removed from the Government godown shall on each occasion be presented to the officer in charge of the Opium Department of the Custom House for weighment and registration, and shall be covered by a pass in the Form C attached to the Rules.

Similar permission for direct importation from Málwa † and direct purchase in Bombay from wholesale dealers has been accorded to licensed retailers in—

Ahmedabad, Kaira and Panch Mahals.—By Government Notification No. 5214 of 2nd October 1880, modified by Notification No. 8167 of 21st November 1882.

Broach and Poona.—By Government Notification No. 6811 of 20th October 1881, modified by Notification No. 8167 of 21st November 1882.

Eholaipur and Násik.—By Government Notification No. 10197 of 29th December 1884.

Ahmednagar.—By Government Notification No. 2280 of 16th March 1885.

Revenue Department, Government Notification No. 5300, dated 29th June 1885. In super-

(1) No. 2365 of 8th May 1878, published at page 593 of Part I of the *Bombay Government Gazette* for 1878.

(2) No. 5214 of 2nd October 1880, published at page 880 of Part I of the *Bombay Government Gazette* for 1880.

(3) No. 6811 of 20th October 1881, published at page 620 of Part I of the *Bombay Government Gazette* for 1881.

(4) No. 10197, dated 29th December 1884, published at page 2 of Part I of the *Bombay Government Gazette* for 1885.

(5) No. 2280 of 16th March 1885, published at page 243 of Part I of the *Bombay Government Gazette* for 1885.

session of paragraph 2 of each of the five Notifications marginally noted and of so much of Notification No. 8167, published at page 996 of the *Bombay Government Gazette* for 1882, as refers to paragraph 2 in each of the first three of the Notifications, the Governor in Council is pleased to direct, under clause (e) of No. 12 of the Bombay Opium Rules, published at pages 704 to 715 of the *Bombay Government Gazette* of 4th June 1885, Part I, that persons duly licensed to retail opium in any district or place to which any of the said five Notifications applies may supply themselves with opium by purchase from wholesale dealers in Bombay subject to the following conditions, *vis* :—

- (1) that the permission be in every case obtained as required by the proviso to No. 12 of the said rules;
- (2) that the differential duty, if any, leviable on the opium under the said proviso be duly paid;
- (3) that the opium be purchased by whole or half-chests only;
- (4) that it be shown to the satisfaction of the Collector of Customs and Opium that the whole of the opium purchased has been obtained from the Bombay Opium Warehouse and not from any other place;
- (5) that the opium purchased be forthwith transported to its destination, and lodged for issue in the same manner as if it had been imported direct from Málwa or Mayvár, as the case may be.

* These notifications become inoperative owing to the introduction of single shop system under which licensed vendors must purchase opium only from local Government depot.

† Málwa and Mayvár, in case of Ahmedabad, Kaira and Panch Mahals districts.—(The Government Notification No. 1071, dated 4th April 1881, page 180 of *Bombay Government Gazette*, Part I, of 7th item.)

* Government Notification No. 7694, dated 9th October 1899.—Under the provisions of Section 12 (c) of the rule framed under sections 5 and 13 of the Opium Act, 1878, and notified in Part I of the *Bombay Government Gazette* of the 4th June 1885, His Excellency the Governor in Council is pleased to permit the direct importation of opium from Málwa or Meywár into the district of Khándesh for retail sale in the said district by the person duly licensed to retail opium in that district, subject to the following conditions :—

- (a) All opium so imported shall be subject to the rate of duty imposed, for the time being, on opium imported into the Presidency of Bombay for home consumption, and payment of the duty leviable thereon shall be made in accordance with the provisions of Rule 17 of the rules under the Opium Act, 1878, for the payment of duty on opium intended for exportation by sea.
- (b) All opium so imported into the Khándesh District shall, on arrival, be deposited in the Government Treasury at Dhulia, or in the *Mislatdar's Treasury at Jalgaon*. (The words in italics were added by Government Notification No. 8120, dated 17th November 1890.)
- (c) Opium deposited as aforesaid will remain there at the risk of the importer, who shall be at liberty to keep it in his own boxes and under his own keys and seals, and to remove it to his shops at such times as the Collector of the district may determine, and in such quantities at a time as he may require for use, not being less than the minimum quantity to be fixed by the Collector; he shall not be entitled to have access to the place of deposit except during office hours, nor without special permission of the Collector or other officer duly empowered by the Collector to grant such permission.
- (d) The quantity of opium to be removed from the place of deposit shall, on each occasion, be presented to the officer in charge of the place for weighment and registration, and shall be covered by a pass in the Form O attached to the rules.

2. The person duly licensed to retail opium in the aforesaid district is further permitted to supply himself with opium by purchase direct from wholesale dealers in Bombay, subject to the following conditions—

- (1) that permission be in every case obtained as required by the proviso to No. 12 of the rules;
- (2) that the differential duty, if any, leviable on the opium under the said proviso be duly paid;
- (3) that the opium be purchased by whole or half-chests only;
- (4) that it be shown to the satisfaction of the Collector of Customs and Opium that the whole of the opium purchased has been obtained from the Bombay Opium Warehouse and not from any other place; and
- (5) that the opium purchased be forthwith transported to its destination, and lodged for issue in the same manner as if it had been imported direct from Málwa or Meywár, as the case may be.

Similar permission for direct importation from Málwa or Meywár has been accorded to the licensed retailer in the Sarat District by Government Notification No. 2333, dated 11th April 1893.

13. No opium shall be imported into the Presidency of Bombay by land except by one of the following routes, that is to say—

- (a) from any place on the frontier of the Kadi Division in the territory of His Highness the Gaikwár which the Local Government may from time to time appoint, direct to the town of Ahmedabad;
- (b) by railway, from Khandwa, or *via* Pálanpur and Ahmedabad † or *via* Rutlám and Godhra.

His Excellency the Governor in Council is pleased to rule that the Pálanpur-Ahmedabad Railway be the route by which alone opium from Baroda territory may be imported into the Presidency for transmission to the scales at Ahmedabad. All opium so imported shall be consigned to the Government Opium Agency in the town of Ahmedabad.—Government Notification No. 8231, dated 2nd November 1894.

13A. Notwithstanding anything contained in Rule 13, opium, the property of His Highness the Maharátva of Dongarpur, may be imported into

the Presidency of Bombay by land, subject to the provisions of the system under which licensed retailers are permitted to import opium.—Government Notification No. 8231, dated 2nd November 1894.

Ahmedabad, under an escort furnished by His Highness the Maharaja, by the following route, *viz.*, from Kherwada, by Vichwada, Samera, Samlagi, Tintoi, Hakrol, Lambhoi, Dhakrol, Modhuka, Harsol, Ujain, Dehgam, Naroda to Ahmedabad, and subject to examination as to number, weight and tampering in transit, at any of the above places which the Local Government may appoint in this behalf. (Added by Government Notification No. 229, dated 18th January 1886.)

14. Opium booked through for re-exportation to other parts of British India or Native States shall be detained and examined as to number, weight and tampering in transit at any railway-station in the presidency which the Local Government may appoint in this behalf.

Dolar Station on the G. I. P. Railway has been appointed an examining station for opium booked through for re-exportation.—Government Resolution No. 3250, dated 6th April 1883.

Ahmednagar on the Dhond-Maumad State Railway has been appointed an examining station for opium booked through for Madras and stations south of Ahmednagar.—Government Notification No. 6160, dated 3rd December 1879, as modified by Government Notification No. 6485, dated 24th August 1901.

Sabarmati Railway Station on the R. B. & C. I. and Rajputana-Malwa Railway has been appointed an examining station for opium brought by Rajputana-Malwa Railway and booked through for stations north and south of Ahmedabad.—Government Notification No. 6045, dated 8th September 1887.

Nandgaon Railway Station on the G. I. P. Railway has been appointed an examining station for opium booked through from Indore for the Ahrungabad, Hyderabad and Warangal opium warehouses in the territory of His Highness the Nizam.—Government Notifications Nos. 3243, dated 12th May 1891, and 5155, dated 12th August 1903.

Anand Railway Station in the District of Kaira, on the B. B. & C. I. Railway, has been appointed an examining station for opium booked through from Malwa via Godhra-Rutlam Railway for stations beyond Anand.—Government Notification No. 5991A, dated 2nd November 1894, as modified by Government Notification No. 6485, dated 24th August 1904.

Dohad Railway Station in the District of Panch Mahals on the Godhra-Rutlam Railway has been appointed an examining station for opium booked through from Malwa via Godhra-Rutlam Railway for stations between Dohad and Godhra, and the Godhra Railway Station in the same district has similarly been appointed an examining station for opium booked through from Malwa via Godhra-Rutlam Railway for stations between Godhra and Anand, or for stations between Godhra and Baroda on the Baroda-Godhra Chord Line or for stations south of Baroda. (Amended by Government Notification No. 4970, dated 2nd July 1895, and Government Notification No. 6485, dated 24th August 1904.)

15. Opium imported by land for exportation by sea shall be brought direct to the town of Bombay, and there deposited, in the manner provided in Rule 21, until such time as it may be disposed of.

16. No opium shall be imported by land except after payment of the duty, if any, imposed by the Governor General in Council under section 6 of the Act, and under a pass in Form D, hereto annexed, or in such other form as the Commissioner from time to time prescribes, granted by the Government Opium Agent at † Indore, Ohitor, Ujjain, Rutlam, Dhár, Jaora, Ajmir, Ahmedabad, Mundisar, or Bhopál, or by some other officer duly authorized in that behalf by the Governor General in Council or the Local Government, respectively.

16A. Notwithstanding anything contained in Rule 16 opium imported from the Kadi Division of His Highness the Gaikwar's territory under clause (a), Rule 12, and opium imported under Rule 18A from the territories of His Highness the Maharaja of Dongarpur, shall be allowed to be brought

* The scales at Kherwada have been temporarily transferred to Dongarpur under sanction conveyed in Bombay Government letter No. 4441, dated 8th July 1903, Political Department.

† A new sub-opium Agency has been started at Baran in Kotah since 20th June 1904 (*vide* Government of India, Finance and Commerce Department, No. 4166-Exc., dated 1st July 1904, embodied in Bombay Government Resolution, Revenue Department, No. 5677, dated the 26th idem).

to the scales at Ahmedabad on provisional passes to be granted by the Opium Agent, Ahmedabad, in such form as may be prescribed by the Commissioner from time to time without previous payment of duty. But no such opium shall be allowed to be passed from the scales except on payment of duty, if any, and under a pass as provided in Rule 16. (Added by Government Notification No. 6914, dated 14th September 1889.)

Resolution of the Government of India, No. 8689, dated 17th November 1879:—

"Read the following telegram, dated 22nd October 1879, from the Agent, Governor General for Central India:—

'Collector, Kistna, issues passes unstamped to merchants for large quantity of opium to be imported from Indore. Merchants slip from Malwa with consignments evading scales and will often get away. This system will strengthen smuggling. No pass should be given for Malwa opium except through this office. If any Collector desires opium imported, regulation should be sent to Indore, not made over direct, as pass, by him to merchant.'

RESOLUTION.—Under several local rules and regulations, the import of opium from Malwa for local consumption is permitted, under passes granted by Revenue officers.

2. The Governor General in Council has resolved that no pass shall, in future, be thus granted, excepting by the Opium Agent at Indore.

3. Officers desiring to authorize the import of Malwa opium, under sanctioned conditions, should accordingly address the Opium Agent at Indore, who will issue the required passes under such conditions and with such precautions as he thinks necessary for the safety of the opium revenue which he superintends.

4. Each Local Government concerned will determine and inform the Opium Agent what officers are authorized to move him to issue passes under these orders."—*Ibid* Government Notification No. 6463, dated 3rd December 1879.

17. The duty on opium intended for exportation by sea shall be payable as follows:—

At the Ahmedabad Opium Agency, in cash or by hundi payable at sight at the Bank of Bombay.

At the Ajmir Agency, in cash or by hundi drawn on some trustworthy firm in Bombay and payable at sight.

At all agencies subordinate to the Opium Agent, Indore, by hundis drawn on some trustworthy firm in Bombay and payable at six days' sight.

18. Intimation of the passes granted and hundis received daily shall be sent by the officer granting and receiving the same direct to the Collector of Customs and to the Bank of Bombay (in the case of hundis thereon); and when the opium concerned is intended for retail sale by licensed vendors, or for immediate exportation from the Presidency of Bombay to another part of British India or to a Native State, to the Collector or Political Officer of the locality to which the opium is to be sent. The passes shall be delivered to the importers to cover their consignments.

19. Save as permitted in Rules 11 and 20, no opium shall be imported into the Presidency of Bombay—

(1) except in whole chests containing 110 lbs. of opium, or half-chests containing 70 lbs., plus such allowance, if any, for dryage as the Local Government may from time to time prescribe;

(2) and each such chest or half-chest be marked with the consecutive number of the pass, the total number of chests forming the consignment and the distinctive brand of the office from which the pass was issued.

* 10A. Notwithstanding anything contained in Rule 19, hydrochlorate of morphia and codeia manufactured in the Ghazipur Opium Factory may be imported into Bombay in quantities not exceeding 300 lbs. in the case of hydrochlorate of morphia, and 50 lbs. in the case of codeia, under a pass in Form B under the signature of the officer in charge of the said factory.

20. Notwithstanding anything contained in Rule 19, opium booked through by railway for re-exportation to the Presidency of Madras may be imported in strong wicker baskets subject to the following conditions—

- (a) each basket shall be stoutly and securely sewn over with leather, and shall contain 10 lbs. of opium;
- (b) seven of such baskets shall be packed in a strong gunny or cloth bag, which shall be securely sewn;
- (c) each bag shall have a label sewn on it, showing the number of its covering pass and its weight at the scales, and distinguishing number of mark.

21. Opium imported into the Presidency for exportation by sea shall be conveyed to Bombay and shall, on arrival, be presented to the Collector, together with the pass covering the same. The consignment shall be verified in the manner specified in Rule 10, and conveyed direct to and deposited in the warehouse:

Provided that any such opium may be detained by the Collector at the risk of the consignee, until payment of the duty, when it is paid by hundi, has been certified by the Bank of Bombay, or until any other condition prescribed by this rule has been fulfilled.

22. Opium imported into the town of Bombay may, for export purposes, be manufactured into chandul, but such chandul shall continue liable to all the restrictions on transport which under these rules apply to opium. The manufacture shall be conducted under licenses to be issued by the Collector on such conditions as the Commissioner may from time to time prescribe.

NOTE.—No licenses for the manufacture and sale of chandul, madat and other preparations of opium are at present issued.—*Vide* Government Resolution in the Revenue Department, No. 4721 of 4th June 1892.

Revenue Department, Government Notification No. 2500 of 13th April 1893.—In exercise of the powers conferred by sections 5 and 13 of the Opium Act, 1878 (1 of 1878), and with the previous sanction of the Governor General in Council, the Governor in Council is pleased to direct, in modification of the Notification in the Revenue Department, No. F-4472-A, dated the 3rd June 1886, that the import and export of opium from and to the territory of the Sachin State shall be regulated by the rules for the time being regulating the transport of opium within the limits of the Bombay Presidency.

Provided as follows:—

- (a) For the purposes of the said rules the Sachin State shall be deemed a part of the Surat District.
- (b) In the case of the opium transported from the said State, permits in Form (B), attached to the Bombay Opium Rules, shall be granted by the officer for the time being holding the appointment of Administrator of Sachin State, or by such other officer as the Governor in Council may from time to time appoint for the purpose.

Export.

23. Opium imported under Rule 12 for exportation by sea may be so exported from the port of Bombay only.

24. Opium so exported by sea shall be packed in whole or half-chests containing the weights specified in Rule 19.

* 24A. Notwithstanding anything in Rules 23 and 24, hydrochlorate of morphia and codeia imported into Bombay from the Ghazipur Opium Factory may be exported from the Port of Bombay in consignments not exceeding at any one time 300 lbs. in the case of hydrochlorate of morphia, or 50 lbs. in the case of codeia.

25. When opium is to be removed for exportation by sea, the exporter shall enter in the shipping bill, under which the opium is to be exported, the marks and numbers of packages and the number of packages of each mark to be removed from the warehouse. The shipping bill so prepared shall be checked with the warehouse register and removals noted therein.

26. Opium converted into chandul under Rule 22 may be exported under the same conditions as are provided in Rules 23 to 25 for ordinary opium, at the rate of 140 lbs. of chandul to 70 lbs. of opium. (*Vide* note under Rule 22 above.)

27. When any person desires to export opium from the Presidency of Bombay into any foreign State, or into any other part of British India, he shall obtain a pass for each consignment, in such form as the Commissioner may from time to time prescribe, from the Collector of the district from which such opium is to be exported, or, in the case of export from the town of Bombay, from the Collector of Customs.

The pass shall specify :—

- (1) the name of the person in charge of the consignment,
- (2) the name of the consignee,
- (3) the number of packages and the weight and contents of each, and
- (4) the destination of the consignment.

But no such pass shall be granted unless the person applying for it produces a written permission so to apply, signed by the Collector of the district, or the Political Officer accredited to the foreign State into which such opium is to be imported.

28. The Collector may thereupon grant a pass for the export of such opium.

Each package shall be sealed in the presence of the officer granting the pass and with his official seal.

Transshipment and Re-export.

29. Notwithstanding anything hereinbefore contained to the contrary, opium, not the produce of India, may be imported by sea into the port of Bombay or Karachi, and opium, whether the produce of India or not, may be

imported by sea into the Port of Aden or Perim* provided in each case that the opium so imported be manifested for transshipment or for re-exportation in the same bottom.

Opium so imported may be re-exported by sea from the said ports.

All such opium imported into and re-exported from the said ports in the same bottom shall be liable to a duty at the following rates on each chest not exceeding 140½ lbs. avoirdupois net weight :—

when the consignment does not exceed 150 chests, at Rs. 5 per chest.

from 151 to 300 chests ...	...	...	4	..
from 301 to 600 chests ...	...	...	3	..
601 chests and upwards...	...	...	2	..

Provided that opium on which a transshipment or re-export fee has been levied at one of the said ports shall be exempt from the payment of a re-export fee at any other of the said ports.

30. Small parcels of opium imported under Rule 11, on which full customs-duty has been paid, may be exported by sea or land under the special orders of the Commissioner.

Notification under section 133 of the Sea Customs Act, VIII of 1878, published at page 28 of the *Bombay Government Gazette*, Part I, dated 11th January 1883 :—

Bombay Castle, 10th January 1883.

No. 221.—In supersession of Government Notification No. 67, dated 6th January 1880, published in the *Bombay Government Gazette Extraordinary* of the same date, and in exercise of the power conferred by section 133 of Act VIII of 1878 (The Sea Customs Act), His Excellency the Governor in Council is pleased, with the previous sanction of His Excellency the Governor General of India in Council, to declare that a fee on opium not the produce of India imported by sea into the Ports of Bombay, Karachi or Aden † or Perim and transhipped in any of the said Ports shall be levied at the following rates on each chest not exceeding 140½ pounds avoirdupois net weight—

when the consignment does not exceed 150 chests, at Rs. 5 per chest.

from 151 to 300 chests ...	...	...	4	..
from 301 to 600 chests ...	...	...	3	..
601 chests and upwards ...	...	...	2	..

[a] Opium on which a transshipment or re-export fee has been levied at one of the said ports shall be exempt from the payment of a transshipment fee at any other of the said ports. [a]

General Rules as to Opium transported, imported and exported.

81. No railway company shall receive or convey opium not covered and accompanied by a permit or pass of an officer competent under these rules to grant the same ; or shall convey opium otherwise than direct, and in the custody of its own officers, to the station at which, according to the route prescribed in such permit or pass, it should leave the railway.

82. The bulk of a consignment of opium in transport or in transit in the course of importation or exportation shall not be broken ; and any revenue officer not inferior in grade to a Mahalkari, or any inspector or sub-inspector in the A'bkari or Opium Department, or any police officer not inferior in grade to a head constable, may at any time examine such a consignment.

* Added by Government Notification No. 7492, dated 18th December 1886.

† *Vide* Government Notification No. 7488, dated 18th December 1886.

[a] Added by Government Notification No. 6718, dated 11th September 1883.

If, after such examination, the officer concludes that the packages have not been opened or tampered with in such transport or transit, if their number corresponds with the number specified in the permit or pass, and if they be of the full weight specified in such permit or pass (less the allowance, if any, granted for dryage), the consignment shall be allowed to proceed. Otherwise the consignment shall be detained and disposed of according to law.

33. Opium, the property of a farmer licensed by His Highness the

Depôts:—
Navsari.
Baroda.
Kadi.

Sub-Depôts:—

Viana.
Veláchá.
Potlód.
Dehgám.
Pátan.

Mehsána. (Substituted by Government Notification No. 2537, dated the 5th April 1904, published at page 420 of the *Bombay Government Gazette*, Part I, dated the 7th idem).

Attarsumba. (Added by Government Notification No. 7592, dated the 9th October 1899.)

Gáikwár for the retail sale of opium in His Highness' territories, and intended for the supply of the said farmer's retail shops, may be imported into and transported through or exported from British territory when taken direct from one or other of the depôts and sub-depôts mentioned in the margin under cover of permits issued and signed by [a] an Assistant Sir Subha

in the case of the Baroda Division or its talukas and by a Naib Subha in the case of other divisions or talukas [a] of His Highness' territories to the retail shops at which it is to be sold. Such permit shall be in Form C appended to these rules.

33A.—The conditions subject to which the transport through British territory of opium which has been seized as liable to confiscation in any part of the territories of His Highness the Gáikwár of Baroda, but which has not been ordered to be confiscated, shall be permitted, are as follows:—

- (a) that the opium shall be transported by the most direct route from the place of seizure to the place at which its liability to confiscation is to be decided;
- (b) that it shall be covered by a pass which shall contain the following particulars:
 - (i) the route by which, the time during which, and the place from and to which transport is to be effected;
 - (ii) the quantity of the opium to which the pass refers;
- (c) that every such pass shall be—

- (1) in the Form F hereto appended (*vide* Appendix 9),
- (2) [a] signed by an Assistant Sir Subha in the case of the Baroda division and by the Naib Subha in the case of other divisions. [a]
- (3) kept during transport in the possession of the person in charge of the opium,
- (4) produced on demand made by any British officer of the departments of Land Revenue, Police, Opium and Akkari;

[a] Substituted by Government Notification, Revenue Department, No. 6545, dated the 16th December 1903, published at page 1522 of the *Bombay Government Gazette*, Part I, dated 17th idem.

- (d) that no quantity shall be so transported in excess of that mentioned in any pass granted or produced in respect thereof or by any route other than that mentioned in such pass;
- (e) that intimation of the route by which any such opium is to be transported shall be given to the Police Patel of the first village in British territory through which the opium may have to pass not less than twenty-four hours before the transport through such village is commenced. (Added by Government Notification No. 4428 of 30th June 1891, page 638 of the *Bombay Government Gazette*, Part I, dated 2nd July 1891.)

33R.—The conditions subject to which the import into, transport through and export from British territory shall be permitted of opium which is the property of a farmer licensed by His Highness the Mahārāja of the I'dar State, and which is to be taken direct from the depôt in His Highness' territory, in and through British territory for the supply of the said farmer's retail shops in His Highness' territory, are as follows :—

- (a) that the opium shall be imported, transported and exported by the most direct route from the State depôt of the I'dar State to the place where it is to be licitly sold ;
- (b) that it shall be covered by a pass which shall contain the following particulars :—
- (1) the route by which, the time during which and the places from and to which import, transport and export are to be effected ;
 - (2) the quantity of the opium to which the pass refers ;
- (c) that every such pass shall be—
- (1) in Form G appended hereto (*vide* Appendix 10),
 - (2) signed by the Treasury Officer of the I'dar State,
 - (3) kept during import, transport or export in the possession of the person in charge of the opium,
 - (4) produced on demand made by any British officer of the Departments of Land Revenue, Police, Opium and A'bkari ;
- (d) that no quantity shall be imported, transported or exported in excess of that mentioned in the pass granted in respect thereof or by any route other than that mentioned in such pass ;
- (e) that not less than 24 hours before the import into British territory is commenced intimation of the route by which any such opium is to pass shall be given to the Police Patel of the first village in British territory through which the opium may have to pass ;
- (f) that a duplicate of every such pass shall at the time of its issue be forwarded to the Mámlatdár of every taluka in which a British village through which the opium will have to pass is situated. (Added by Government Notification No. 8811, dated 9th November 1892, page 1098 of *Bombay Government Gazette*, Part I, of 10th idem.)

33C.—The conditions subject to which the import into, transport through and export from, British territory shall be permitted of opium which is the property of a farmer licensed by His Highness the Nizam, and which is to be taken direct by rail from the depôt at Gulbarga in His Highness' territory, in and through British territory *via* Sholápur, Bársi or any other Railway station in British territory, for the supply of the said farmer's retail shops in the district of Usmanabad in His Highness' territory, are as follows :—

- (a) that the opium shall be imported, transported and exported by the most direct route from the depôt at Gulbarga in the territory of His Highness the Nizam to the place in the Usmanabad District where it is to be licitly sold ;
- (b) that it shall be covered by a pass which shall contain the following particulars :—
 - (1) the route by which, the time during which and the places from and to which import, transport and export are to be effected ;
 - (2) the quantity of the opium to which the pass refers ;
- (c) that every such pass shall be
 - (1) in Form H appended hereto (*vide* Appendix 11),
 - (2) signed by the officer in charge of the Opium Depôt at Gulbarga,
 - (3) kept during import, transport or export in the possession of the person in charge of the opium,
 - (4) produced on demand made by any British officer of the Departments of Land Revenue, Police, Opium and Abkâri ;
- (d) that no quantity shall be imported, transported or exported in excess of that mentioned in the pass granted in respect thereof or by any route other than that mentioned in such pass ;
- (e) that not less than 24 hours before the import into British territory is commenced, intimation of the route by which any such opium is to pass shall, where the opium has to pass through the Railway Station at Sholápur or Bársi, be given to the Mámlatdâr at Sholápur or Bársi, as the case may be, and where it has to pass through any other Railway station in British territory, be given to the Police Patel of such station ; and
- (f) that a duplicate of every such pass shall at the time of its issue be forwarded to such Mámlatdâr or Police Patel, as aforesaid. (Added by Government Notification No. 10042, dated 28th December 1904, pages 1723-1724 of *Bombay Government Gazette*, Part I, of 29th idem.)

Sale.

34. Opium is said to be sold "retail" when a quantity less than half a chest of 140 lbs. is sold in a single transaction. It is said to be sold "wholesale" when half such a chest or any larger quantity is so sold.

35. No person shall sell any opium to any person not legally authorized to purchase the same.

33A. The sale of any preparation or admixture of opium used for smoking, such as chandul or nisar, is prohibited. (Added by Government Notification No. 5792, dated 1st June 1898, page 473 of *Bombay Government Gazette*, Part I, of 2nd idem.)

35. Opium deposited in the warehouse under Rule 21 may be sold wholesale in the town of Bombay pending its disposal, subject to the provisions of these and of the Bombay Opium Warehouse Rules as to removal from the warehouse, and provided that only whole chests or half-chests shall be so sold.

36A. Opium imported into Ahmedabad under Rule 13A may be sold wholesale to Native Chiefs and British farmers or licensed vendors in the City of Ahmedabad pending its disposal, subject to the provisions of these Rules as to transport or export as the case may be, and provided that only whole chests or half-chests shall be so sold. (Added by Government Notification No. 220, dated 15th January 1896.)

37. No person shall sell opium by retail without a license in this behalf: Provided that a medical practitioner, who holds a license granted to him under Rule 6 (c), may sell medical preparations containing opium to the extent and subject to the conditions prescribed in the said license. (Amended by Notification No. 6292, dated 5th August 1892, page 770 of *Bombay Government Gazette*, Part I, of 4th idem, as modified by Notification No. 5372, dated 6th August 1892, page 891 of *Bombay Government Gazette*, Part I, of 11th idem.)

38. Save as provided in Rule 60,* no retail vendor shall sell to any person at one time more than three $\frac{1}{2}$ tolas of opium or of any intoxicating drug prepared from the poppy, or any preparation or admixture of opium which may contain more than three tolas of crude opium or more than five sers of poppy-heads, except to a licensed vendor or farmer or to a medical practitioner or other person holding a special permit granted by the Collector under Rule 6, or under a special order from the Commissioner or a Collector. (Substituted by Government Notification No. 8334, dated 16th November 1897.)

39. Licenses for the retail of opium or for the manufacture and retail of all or any intoxicating drugs prepared from opium or from the poppy other than preparations or admixtures of opium used for smoking may be granted for the town of Bombay by the Collector of Customs and for other parts of the presidency by the Collector of the district. Such licenses shall be in the Form E, hereto annexed, or in such other form as the Commissioner from time to time prescribes. (Amended by Government Notification No. 3662, of the 1st June 1898.)

40. Whenever a license is granted for the retail of opium, the officer who grants it shall demand such payments and shall impose in the license such conditions on the licensee as may from time to time be prescribed by the Commissioner.

41. (Cancelled by Government Notification No. 9061, dated 10th November 1885.)

* Vide Government Notification No. 5515, dated 31st July 1893, published at page 638 of the *Bombay Government Gazette*, Part I, of the 3rd August 1893.

† Vide Government Notification No. 6437, dated 10th August 1892, page 802 of the *Bombay Government Gazette*, Part I, dated 11th idem.

42. Licenses for retail shall be granted for one year only, unless the Commissioner shall otherwise specially direct.

43. With the general or special sanction of the Commissioner, the Collector may let in farm the right to retail opium or to manufacture and retail all or any intoxicating drugs prepared from opium or from the poppy other than preparations or admixtures of opium used for smoking such as chandul or madat, in any local area under his control, for a term not exceeding five years. The Commissioner may prescribe rules:

- (a) for the invitation and acceptance of tenders for such farms,
- (b) for the requisition of security for the due fulfilment of the engagements entered into by the farmers, and
- (c) as to the form and conditions of such leases.

Any breach of such engagement shall render the lease liable to annulment by the authority by whom the farm was sanctioned. (Amended by Government Notification No. 3662, dated 1st June 1898.)

44. When any such farm is given, the farmer may make his own arrangements for the appointment of subordinate vendors, and for the manufacture of intoxicating drugs, other than preparations or admixtures of opium used for smoking such as chandul or madat within the limits of his farm and subject to the conditions of his lease: Provided that no opium except that supplied from a Government depôt and opium lawfully imported under clause (c), Rule 12, and opium otherwise lawfully obtained, shall be retailed or used in the manufacture of such drugs. (Amended by Government Notification No. 3662, dated 1st June 1898.)

45. Licenses for the retail of opium, or of intoxicating drugs prepared from opium or from the poppy, other than preparations or admixtures of opium used for smoking such as chandul or madat by persons appointed by the farmer to retail on his behalf, shall be granted by the Collector in such form and on such conditions, consistent with the conditions of the farm, as the Commissioner from time to time prescribes. (Amended by Government Notification No. 3662 of 1st June 1898.)

46. With the sanction of the Commissioner, the Collector may cancel any lease granted under Rule 43; or may, within the period of the lease, impose any new reservation or restriction on the farmer.

If any such lease be cancelled for any cause other than a breach of the conditions thereof, or if any reservation or restriction with respect to the grant of licenses be imposed during the lease, the Commissioner shall award such compensation as he thinks reasonable to the farmer for any damage sustained by him by reason of such cancellation, reservation, or restriction.

47. If any licensed vendor or farmer shall have in his possession, on the expiry of his license or farm, any opium which he is unable to dispose of, to the satisfaction of the Collector, by private sale to other licensed vendors or farmers, he shall surrender the same to the Collector; and the incoming licensed vendor or farmer, or, if the expired license or farm is not renewed, any licensed vendor or farmer within the district, when required by the Collector, shall be bound to purchase the opium aforesaid to the extent of two months' supply at such price and in such quantities as the Collector shall adjudge: Provided that

the price of opium thus adjudged shall in no case exceed the rate at which it can be procured from the Government: Provided also that, if such opium be, in the opinion of the Collector, unfit for use, the Collector shall cause it to be destroyed.

48. Central and subsidiary depôts of opium for issue to licensed retailers and farmers and for other Government purposes shall be established at Bombay and such other places as the Local Government may from time to time direct.

49. The opium required for these depôts shall be imported from Malwa or Bengal, or otherwise procured as the Local Government may direct, and shall be stored in the first instance at the central depôts, whence it will be supplied en indans to the subsidiary depôts as required. (For detailed instructions regarding supply and issue of opium to and from (1) Government depôts in the Presidency and (2) sub-depôts in the Province of Sind, see Commissioner of Customs, Salt, Opium and Akbari's Circular No. 1500, dated 17th March 1904, and the Rules framed by the Commissioner in Sind dated 9th March 1905 printed at the end of this compilation as Appendices 14 and 15 respectively.)

50. Opium shall be issued from the Government Depôts to licensed vendors at a price to be fixed and notified from time to time by the Local Government.

Under No. 50 of the Rules under the Indian Opium Act, I of 1878, published at pages 701 to 715 of the *Bombay Government Gazette* dated the 4th June 1885, Part I, and in supersession of Government Notification, Revenue Department, No. 5242-A, dated the 11th July 1901, it is hereby notified for general information, by order of the Governor in Council, that on and after the 1st March 1904, and until further intimation, opium will be issued from the Government Depôts at Aden, Bâfâ, Pakarpur, Sâira and Dholâ Cantonment, and from those in the Province of Sind and in the British Districts of Ahmedabad, Kaira, the Panch Mahals, Broach and Sorat, and in Bombay City at the rate of Rs. 16 per pound of 40 tolas, and from these in all other districts of the Presidency at the rate of Rs. 14-8-0 per pound of 40 tolas. (Government Notification, Revenue Department, No. 1531, dated the 7th March 1903, published at page 293 of the *Bombay Government Gazette*, Part I, dated the 9th idem.)

Import, &c., on behalf of the Government.

51. Nothing contained in the foregoing rules shall be deemed to affect the possession, transport, import, export or sale of opium by or on behalf of the Government.

Permission to import, export, transport and sell Opium.

52. Subject to the prohibitions, conditions and regulations imposed and prescribed by the foregoing rules, the manufacture, possession, import, export, transport and sale of opium are permitted.

[For Rules 53 to 57 and 59, see notes under Section 13.]

Control.

58. All Collectors shall, as regards any matter arising in the administration of these rules, be subject to the general control of the Commissioner.

* *Special exceptions as to crude opium in part of the Thar and Parkar District.*

59. In applying, so far as concerns crude opium, the provisions of Rule 4 (ii), Rule 7, and Rule 38, to such portion of the Thar and Parkar District

* Added by Government Notification No. 5515, dated 31st July 1898, page 688, *Bombay Government Gazette*, Part I, dated 3rd August 1898.

as lies east of the Eastern Nára Canal, those rules shall be read as if for the words 'three tolas' wherever they occur therein, there were substituted the words 'ten tolas.' (Amended by Government Notification No. 8834, dated 16th November 1897.)

6. The Governor General in Council may from time to time, by notification in the *Gazette of India*, impose such duty as he thinks fit on opium or on any kind of opium imported by land into British India or into any specified part thereof, and may alter or abolish any duty so imposed.

With reference to Financial Notification No. 2027, dated 26th June 1892, and in exercise of the powers conferred by section 6 of Act I of 1878 (The Opium Act, 1878), the Governor General in Council is pleased to notify that, till further orders, all opium imported by land into the Presidency of Bombay, and not covered by a pass for exportation by sea from the Port of Bombay, granted in accordance with Rule 14† of the Rules made under the Opium Act, 1878, and published by the Government of Bombay, will be subject to the following duty upon each chest weighing not 140½ lbs. avoirdupois weight, namely:—

	Rs.
When the pass for such opium is granted at Ajmir ...	... 725
When the pass for such opium is granted elsewhere ...	... 700

(Government of India's Notification No. 4708, dated 3rd November 1892, republished at page 663 of the *Bombay Government Gazette*, Part I, dated 9th November 1892.)

In exercise of the powers conferred by section 6 of Act I of 1878 (The Opium Act, 1878), the Governor General in Council is pleased to increase, with effect from 7th May 1904 (*vide* Government Notification, Revenue Department; No. 2408, dated 7th May 1904, published at page 640 of the *Bombay Government Gazette*, Part I, dated 7th May 1904), by one hundred rupees per chest, the duty on opium imported by land into the Presidency of Bombay for exportation by sea from the Port of Bombay.

Accordingly it is hereby notified that, till further orders, all opium imported by land into the Presidency of Bombay, and covered by a pass for exportation by sea from the Port of Bombay, granted in accordance with Rule 16 of the rules made under the Opium Act, 1878, published by the Government of Bombay in their Notification No. 1472-A, dated 3rd June 1888 (published at pages 704 to 716 of Part I of the *Bombay Government Gazette* dated 4th June 1888), shall be subject to the following duty upon each chest weighing 140½ lbs. net avoirdupois weight, *viz.*:—

	Rs.
When the pass for such opium is granted at Ajmir ...	... 625
When the pass for such opium is granted elsewhere ...	... 600

(Government of India's Notification No. 2030-A, dated the 6th May 1904, republished under Bombay Government Notification No. 8311, dated the 11th idem, published at page 690 of the *Bombay Government Gazette*, Part I, dated the 12th idem.)

7. The Governor General in Council may, by order notified in the *Gazette of India*,

(a) authorize any Local Government to establish warehouses for opium legally imported into, or intended to be exported from, the territories administered by such Local Government, and

(b) cancel any such order.

[illegible]

As a result of the above-mentioned declarations, the Government of the United States has decided to withdraw its troops from the territories mentioned above.

As a result of the above, the owner of the property is advised to take the necessary steps to ensure that the property is properly maintained and that the property is not damaged by the actions of the tenant.

[illegible]

On 11/11/1964, the following information was received from the New York State Department of Social Services, Albany, New York, regarding the above-named individual:

The individual was born on 11/11/1911, in New York City, New York, and is currently residing at 1111 1st Avenue, New York City, New York. The individual is a male, of the Caucasian race, and is currently employed as a [redacted] at the [redacted] in New York City, New York. The individual is currently married to [redacted] and they have two children, [redacted] and [redacted]. The individual is currently residing at 1111 1st Avenue, New York City, New York.

[Faint handwritten notes at the bottom of the page]

5. The local Government, with the previous sanction of the Government General in Council, may, from time to time, by notification in the local

that the rule consistent with this Act to regulate the sale and delivery of opium warehoused under section 3, be: the levy of fee for such warehousing; the removal of such opium for sale or exportation; and the manner in which it shall be disposed of, if any duty or fee leviable on it be not paid within twelve months from the date of warehousing the same.

The several Notifications Nos. 1172, dated 3rd June 1878.—In exercise of the powers conferred by section 5 of the Opium Act, 1878, the Governor in Council is pleased, with the previous sanction of the Governor General in Council, to make the following rules relating to the warehouse appointed in Notification No. 2205, dated 16th March 1856 (published at page 341 of the *Weekly Government Gazette* of the 19th idem), for the storage and deposit of opium legally imported into the Presidency of Bombay and intended for exportation by sea therefrom, viz:—

1. The said warehouse shall be known as "The Bombay Opium Warehouse" and these rules may be cited as "The Bombay Opium Warehouse Rules."

2. In these rules, unless there be something repugnant in the subject or context, any word or expression which is defined in the Opium Act, 1878, or in the Bombay Opium Rules shall be deemed to have the meaning attributed to it by that Act or those rules.

3. Opium brought to the warehouse for deposit shall be accompanied by the passport covering it issued at the scales.

4. At the time of receipt of the opium into the warehouse, the warehouse-keeper, or some other officer authorized by him in this behalf, shall examine the marks, numbers and other particulars on the chests or half-chests and verify the same by comparison with those entered in the passport.

5. If the marks, numbers and other particulars on the chests or half-chests are not found to correspond with those given in the passport, the warehouse-keeper shall at once report the fact for the orders of the Collector, the opium being held in safe custody pending such orders.

If they correspond, the opium shall be stored in the warehouse.

6. After storage of the opium, the warehouse-keeper shall stamp across the passport the word "warehoused" and shall enter therein, in the place provided for the purpose, the number of the compartment of the warehouse in which the opium has been stored with the date and his signature.

The passport shall then be sent to the Opium Department.

7. On receipt of the passport in the Opium Department, the particulars thereof shall be entered in a register: the passport shall then be stamped with the word "cancelled" and retained in the Opium Department. The date of warehousing shall also be noted in the register of passports.

8. All opium deposited in the warehouse as above shall be at the disposal of the owners, to be dealt with as provided in the Opium Act and the Bombay Opium Rules.

9. No warehoused opium shall be removed from the warehouse until application in writing has been made to the Collector and a permit for such removal has been obtained from him.

This rule shall not apply to the removal of opium from one compartment of the warehouse to another.

10. Before removal of warehoused opium for exportation by sea, the exporter's shipping bill, which shall be in the form of Schedule A, or to the like effect, and shall be prepared in the manner provided in No. 25 of the Bombay Opium Rules, shall be presented to the warehouse-keeper, together with the Collector's permit authorizing such removal.

11. As the opium is passed out of the warehouse, the warehouse-keeper, or some other officer authorized by him in this behalf, shall compare the marks and numbers and other particulars on the chests or half-chests with those entered on the shipping bill and shall permit the removal of the opium only on finding the particulars to correspond.

12. When all the opium covered by a shipping bill has been passed out of the warehouse, the warehouse-keeper or other officer aforesaid shall note on the shipping bill the fact of the removal of the opium and the date thereof.

13. The warehouse-keeper shall then note in the shipping bill the hours between which the opium shall be transported from the warehouse to the place of shipment, and return it to the exporter.

14. Before removal of any warehoused opium, under the proviso to No. 12 of the Bombay Opium Rules, for consumption within the Presidency of Bombay or for exportation under No. 27 of the said rules into any foreign state or into any part of British India outside of the Presidency of Bombay, the pass required by No. 7 or No. 27 of the said rules, as the case may be, shall be presented to the warehouse-keeper, together with the Collector's permit authorising such removal.

15. Previous to permitting removal of any opium under Rule 14, the warehouse-keeper shall check by weightment the contents of each chest or half-chest and shall compare the weight with that given in the pass, and in the case of opium which is to be exported under No. 27 of the Bombay Opium Rules, shall seal each package as required by No. 25 of those rules.

16. On the removal of any such opium from the warehouse, the warehouse-keeper shall note on the pass the fact of the removal and the date thereof, returning the pass to the person who presented it.

17. Before any warehoused opium is removed, whether under Rules 10—13 or Rules 14—16, the warehouse-keeper, or other officer authorized by him in this behalf, shall mark each chest or half-chest with the Government stamp provided for this purpose.

18. Unless the Collector by a special order otherwise directs, no opium shall be taken into, or passed out of, the warehouse except in whole or half-chests and in the manner prescribed in the foregoing rules.

19. Every operation connected with the deposit and removal of opium in or from the warehouse, the bringing of the same to the proper place for examination and weightment, and putting thereof into and out of the scales, and the opening, sorting, lotting, marking and numbering of packages of opium, in accordance with or for the purposes of these rules, shall be performed by, or at the expense of, the owner of the opium.

20. The warehouse-keeper, or any person duly authorized by the Collector, may at any time enter any compartment or part of the warehouse, and may weigh or otherwise take an account of any opium that may be there.

21. All assays, tests, examinations and sampling shall be performed within the warehouse.

22. Assaying, testing and other operations in which the use of fire is necessary shall be carried on only in the part of the warehouse premises set apart for that purpose and known as the 'testing-rooms.'

23. The balance of opium, if any, remaining after assay or test shall be removed from the testing-rooms and again deposited in the portion of the warehouse set apart for its storage.

24. The use of fires and naked lights and smoking within the warehouse are absolutely prohibited except in the testing-rooms.

25. The use of covered lights and lanterns may be permitted by the warehouse-keeper whenever it is shown to his satisfaction that it is necessary to allow the packing and sorting of opium to be proceeded within the warehouse after sunset. The use of petroleum or other inflammable or dangerous oils for the purpose of lighting is strictly prohibited.

26. The warehouse shall be closed on Sundays and on New Year's Day, Good Friday, the Emperor's Birthday, Christmas-day and all other days on which the closing of public offices is ordered by Government. The Collector, however, may, on application, permit the warehouse to be opened on these days on payment of such fees as the Collector, with the sanction of the Commissioner, may from time to time fix.

(The scale of fees sanctioned by the Commissioner in his No. 775, dated 8th February 1887, is Rs. 10 for attendance of Warehouse-keeper, Rs. 5 for each Gate-keeper, Annas 12 for the Naik, and Annas 8 for each peon.)

27. The ordinary working hours in the warehouse shall be from 10 A.M. to 5 P.M. But when the owner of any opium to be deposited in the warehouse, or of any opium already in the warehouse, makes—

- (a) a verbal request that the warehouse be kept open at any other time between sunrise and sunset, or
- (b) a written application, giving sufficient reasons for the request, that the warehouse be kept open after sunset up to an hour not later than 10 P.M.,

the warehouse-keeper shall open or allow the warehouse to remain open as desired.

28. No opium, or any other article, shall be brought into or removed from the warehouse except between the hours of sunrise and sunset: Provided that opium unavoidably detained in transit to the warehouse and brought to the warehouse after sunset may be received in safe custody pending verification in the manner specified in Rule 4.

29. The warehouse shall be opened and closed only in the presence of the warehouse-keeper, who shall be responsible that all doors and windows giving access to the warehouse are properly closed and secured at the end of each day and at the time of closing shall see that no person remains within the warehouse after it is closed, and that all lights and fires have been properly put out.

30. After the closing of the warehouse, the warehouse-keeper shall place the keys of all locks in a box provided for the purpose, and after locking the said box shall forward it to the Superintendent, Preventive Service, or other officer for the time being residing at the Town Custom House; one key of the said box shall remain in charge of the warehouse-keeper and a duplicate with the officer aforesaid.

31. The responsibility of securely closing the doors and windows of the several compartments within warehouse shall rest with the respective occupants of such compartments, and the keys shall remain in their charge.

32. Every person who enters or leaves the warehouse shall be liable to be searched for the purpose of ascertaining if he has opium secreted about him.

33. All cases, bundles and other articles shall be liable to examination when being taken into or removed from the warehouse.

34. Any person found guilty of any breach of the Opium Act or of any rule framed thereunder, or otherwise committing any offence in respect of the warehouse or of the warehouse officials, or of any property contained in the warehouse, may be excluded from and prohibited entry into the warehouse by the Collector.

35. The owners of opium stored in the warehouse shall ordinarily pay monthly in advance rent at the rates specified in Table I of Schedule B, but the Commissioner of Customs and Opium may at any time substitute therefor fees at the rates specified in Table II. of the same schedule (Government Notification No. 6315, dated 5th August 1885).

36. In the event of any rent (or warehouse-fee) not being paid when due, the Collector may detain any opium in the warehouse, the property of the person or persons by whom such rent (or warehouse-fee) is due, until the claim be satisfied, and no opium in respect of which rent (or warehouse-fees) have not been paid shall be removed from the warehouse until they are paid.

37. The allotment of compartments and of testing-rooms in the warehouse shall rest with the Collector, who may at any time revise or alter any such allotment previously made by him.

38. Nothing contained in the foregoing rules shall be deemed to affect opium in the warehouse belonging to or which is to be purchased by or on behalf of Government.

Penalty for illegal cultivation of poppy, &c.

9. Any person who, in contravention of this Act, or of Rules made and notified under section five or section eight,

- (a) cultivates the poppy, or
- (b) manufactures opium, or
- (c) possesses opium, or
- (d) transports opium, or
- (e) imports or exports opium, or
- (f) sells opium, or
- (g) omits to warehouse opium, or removes or does any act in respect of warehoused opium,

and any person who otherwise contravenes any such rule,

shall, on conviction before a Magistrate, be punished for each such offence with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both;

and, where a fine is imposed, the convicting Magistrate shall direct the offender to be imprisoned in default of payment of the fine for a term which may extend to six months, and such imprisonment shall be in excess of any other imprisonment to which he may have been sentenced.

10. In prosecutions under section nine, it shall be presumed, until the contrary is proved, that all opium for which the accused person is unable to account satisfactorily is opium in respect of which he has committed an offence under this Act.

Presumption in prosecutions under section nine.

Confiscation of opium. 11. In any case in which an offence under section nine has been committed—

- (a) the poppy so cultivated;
- (b) the opium in respect of which any offence under the same section has been committed;
- (c) where in the case of an offence under clause (d) or (e) of the same section, the offender is transporting, importing or exporting any opium exceeding the quantity (if any) which he is permitted to transport, import or export, as the case may be, the whole of the opium which he is transporting, importing or exporting;
- (d) where in the case of an offence under clause (f) of the same section, the offender has in his possession any opium other than the opium in respect of which the offence has been committed, the whole of such other opium, shall be liable to confiscation.

The vessels, packages and coverings in which any opium liable to confiscation under this section is found, and the other contents (if any) of the vessel or package in which such opium may be concealed, and the animals and conveyances used in carrying it, shall likewise be liable to confiscation.

12. When the offender is convicted, or when the person charged with an offence in respect of any opium is acquitted, but the Magistrate decides that the opium is liable to confiscation, such confiscation may be ordered by the Magistrate.

Order of confiscation by whom to be made.

Whenever confiscation is authorized by this Act, the officer ordering it may give the owner of the thing liable to be confiscated an option to pay, in lieu of confiscation, such fine as the officer thinks fit.

When an offence against this Act has been committed, but the offender is not known or cannot be found, or when opium not in the possession of any person cannot be satisfactorily accounted for, the case shall be enquired into and determined by the Collector of the District or Deputy Commissioner, or by any other officer authorized by the Local Government in this behalf either personally or in right of his office, who may order such confiscation: Provided that no such order shall be made until the expiration of

one month from the date of seizing the things intended to be confiscated or without hearing the persons (if any) claiming any right thereto and the evidence (if any) which they produce in support of their claims.

The Collector of Salt Revenue has been authorized under paragraph 8 of this section to inquire into and determine cases of adjudications "so far as regards any opium or other thing seized by himself or by any officer subordinate to him." (Government Notification No. 3578, dated the 20th June 1879, published at page 609 of the *Bombay Government Gazette*, Part I, dated 26th idem.)

13. The Local Government may, with the previous sanction of the Governor General in Council, Power to make rules regarding disposal of things confiscated and rewards.

from time to time, by notification in the local Gazette, make rules consistent with this Act to regulate—

- (a) the disposal of all things confiscated under this Act; and
- (b) the rewards to be paid to officers and informers out of the proceeds of fines and confiscations under this Act.

Government Notification No. 4472A, dated 3rd June 1885.—In exercise of the powers conferred by sections 5 and 13 of the Opium Act, 1878, and in supersession of all previous rules made under the same sections, the Governor in Council is pleased, with the previous sanction of the Governor General in Council, to make the following rules for regulating the traffic in opium in the Bombay Presidency (namely)—

[For Rules 1 to 52 see notes under section 5.]

Disposal of things confiscated.

* 53. Opium confiscated under the Act shall be examined by the Collector, and, if declared by him to be fit for use, shall be sent to the nearest depôt. If declared to be unfit for use, it shall be immediately destroyed.

* 54. If the opium so sent to a depôt be of quality sufficiently good for retail purposes, it shall be added to the stock at the depôt. But if such opium be of inferior quality, it may be issued to retail dealers at a special rate proportioned to its quality, but shall be subject in other respects to the same conditions as other opium.

* NOTE :—Whenever opium is confiscated under the Act in a quantity exceeding five tolas in weight and is found to be fit for human consumption, it should, instead of being locally disposed of, be sent to the Superintendent of the Patna or Gasipur Opium Factory whichever is nearer for disposal (Government of India Resolution No. 769-Ex., dated 14th February 1898, and letter No. 2344-Ex., dated 21st May 1898, embodied in Bombay Government Resolutions Nos. 1524 and 3799, dated respectively the 1st March and 7th June 1898).

55. All property, other than opium, which is confiscated under the Act, shall be sold under the orders of the Magistrate or other officers by whom the confiscation was adjudged.

56 & 57. [Cancelled by Government Notification, Revenue Department, No. 749, dated the 2nd February 1903, published at page 184 of the *Bombay Government Gazette*, Part I, dated the 5th idem.]

Rules to regulate the procedure for the grant of rewards to officers and informers in cases adjudicated under the Opium Act, 1878.

His Excellency the Governor in Council is pleased to prescribe the following rules to regulate the procedure for the grant of rewards to officers and informers in cases adjudicated under the Opium Act, 1878 (I of 1878) :

1. When a Magistrate convicts an offender under section 9 or when a Magistrate orders the confiscation of opium under section 12 of the Act, the officer prosecuting the case shall, as soon as the case is decided, obtain from such Magistrate a certificate giving the following particulars :—

- (1) Name or names of offenders.
- (2) Section under which conviction was had or charge made.
- (3) Name or names of officers concerned in the detection of the case.
- (4) Amount of fine imposed.
- (5) Amount of fine recovered.
- (6) Quantity of opium confiscated.
- (7) Date of decision.

The prosecutor shall then forward the certificate to his immediate official superior along with, or in continuation of, the detailed report he is required to submit under section 21 of the Act. The officer to whom the report is submitted shall forthwith forward the same with any remarks or recommendations he may have to make to the Collector of the District in which the offence was committed or to the Collector of Salt Revenue if the said officer is subordinate to him. The Collector of the District or the Collector of Salt Revenue, as the case may be, may then grant, in such proportion as he thinks fit, to any person or persons who have contributed to the seizure of the opium, or the conviction of the offender, a reward not exceeding the value of the opium or other articles confiscated in the case *plus* the amount of any fine imposed, or may place such aggregate amount at the disposal of the Head of the Department, to which belong any officer or officers who may have contributed to the seizure of the opium or the conviction of the offender, and such Head of the Department may thereupon award such amount to the person, or distribute it in such proportion as he thinks fit among the persons, whom he may consider to be entitled to reward in connection with such seizure or conviction.

2. Rewards out of the proceeds of any confiscation ordered under section 12 of the Act by the Collector or any other officer authorized by Government in this behalf may be granted, or placed at the disposal of the Head of the Department concerned, by the Collector or such other officer in accordance with the procedure laid down in Rule 1 above.

3. Every order for reward shall state exactly the sum of money awarded as a reward from

- (a) the value of the opium and other articles confiscated in the case, and
- (b) the amount of fine imposed.

4. For the purpose of determining the amount of reward under head (a) of Rule 3 above, the value of the opium shall invariably be calculated at the rate of Rs. 8 per lb. unless the officer passing the order considers the opium to be decidedly valueless and the value of other confiscated articles shall be appraised by him at his discretion.

5. Immediately after an order for a reward is passed, the officer passing the order shall issue a warrant on the Treasury for the prompt disbursement of the amount of reward adjudged under the head (a) of Rule 3 above, and for the payment of the amount adjudged under the head (b) after the recovery of the fine shall have been certified by the Magistrate concerned, a copy of the warrant being at the same time given the intended recipient.

6. If the fine is not paid or only paid in part, the Collector may, as soon as the report referred to in Rule 1 above is received, order payment from the Treasury, within a limit of Rs. 100, of the full amount of any reward adjudged under head (b) of Rule 3 above or of the unrealized balance thereof. In any case in which a decision of a trying Magistrate is reversed or modified on appeal or revision and the fine or confiscation consequently remitted or varied, any rewards already granted under the above rules to officers and informers shall not be recovered from them, but shall be treated as expenditure incurred for the employment of informers, &c., and sanctioned by the Commissioner under Rule 9.

7. If the Collector considers the amount available for reward to be insufficient, he may apply for the sanction of the Commissioner of Opium to supplement the reward by a further reward of such amount as the Collector may deem fit to recommend, submitting at the same time a clear statement of the case and of the grounds for his recommendation. The Commissioner may sanction, modify or reject the Collector's recommendation as he may think fit in each case.

8. In any case in which in the opinion of the Commissioner of Opium any person has performed any service of special merit in respect of the prevention or detection of opium smuggling or of any offence against the Act, the Commissioner may grant to such person a reward not exceeding the amount of five hundred rupees.

9. The Commissioner of Opium or, with the sanction of the Commissioner, a Collector or the Collector of Salt Revenue may incur at his discretion expenditure not exceeding five hundred rupees in each case for the employment of informers or for any other purpose connected with the prevention or detection of opium smuggling or of any offence against the Act.

10. The Commissioner of Opium shall, from time to time, report to Government the circumstances under which any reward may have been granted or expenditure may have been incurred under Rules 8 and 9 when the reward or expenditure in question exceeds Rs. 250. In the case of rewards granted or expenditure incurred within that amount a separate report is not required.

11. Rewards should be granted with discretion and care taken to prevent any abuse of the system, which might lead to the fabrication of false cases by unscrupulous subordinate officers.

[Executive Instructions issued under G. R., R. D., No. 1164, dated the 17th February 1908.]

Control.

[For Rule 58 see notes under section 5.]

59. The decision of the Collector as to the value of opium which has been seized shall be final.

14. Any officer of any of the departments of Excise, Police, Customs, Salt, Opium or Revenue,

Power to enter, arrest and seize, on information that opium is unlawfully kept in any enclosed place.

superior in rank to a peon or constable, who may in right of his office be authorized by the Local Government in this behalf, and who has reason to believe, from personal knowledge or from information given by any person and taken down in writing, that opium liable to confiscation under this Act is manufactured, kept or concealed in any building, vessel or enclosed place, may, between sunrise and sunset,

- (a) enter into any such building, vessel or place;
- (b) in case of resistance, break open any door and remove any other obstacle to such entry;
- (c) seize such opium and all materials used in the manufacture thereof and any other thing which he has reason to believe to be liable to confiscation under section eleven or any other law for the time being in force relating to opium; and
- (d) detain and search, and if he thinks proper, arrest any person whom he has reason to believe to be guilty of any offence relating to such opium under this or any other law for the time being in force.

Government, by Notification No. 3578, dated 20th June 1879, published at page 609 of the *Bombay Government Gazette*, Part I, dated 26th idem, have authorized the officers named below, to act under this section within the limits of their respective charges:—

All officers of the Revenue Department invested with Magisterial powers, all Police Officers superior in rank to a Head Constable, all Sarkarkuns and Inspectors in the Departments of Opium and Akkari, the Collector, * Deputy Collector and all Assistant Collectors of Salt Revenue, the Superintendent of the Coast Guard Service and all Coast Guard Inspectors, Frontier Inspectors, Sarkarkuns of Talukas and Supervisors of distilleries subordinate to the Collector of Salt Revenue.

Sub-Inspectors in the Departments of Opium and Akkari have been authorized to act, within the limits of their respective charges, under this section. (Government Notification No. 9339, dated the 19th December 1883, published at page 1000 of the *Bombay Government Gazette*, Part I, dated 20th idem.)

Inspectors of Salt Revenue in Sind have been authorized to act, within the limits of their respective charges, under this section. (Government Notification No. 7249, dated 7th September 1885.)

* The post of Deputy Collector of Salt Revenue has since been abolished.

The Superintendent and the Assistant Superintendents of the Salt Preventive Establishment in the Thar and Parkar District have been authorized to act, within the limits of their respective charges, under this section. (Government Notification No. 2862, dated 4th April 1893, published at page 810 of the *Bombay Government Gazette*, Part I, dated 6th idem.)

In exercise of the powers conferred by section 14 of the Opium Act, 1878, His Excellency the Governor in Council is pleased to authorize, within the limits of the Town and Island of Bombay, the Gaugers and Clerks of the Abkari Department employed within the said limits when performing the duties of Inspectors or Sub-Inspectors under the orders of the Collector of Land Revenue, Customs and Opium, Bombay, to exercise the powers conferrable under the said section. (Government Notification, Revenue Department, No. 3569A, dated 16th May 1893.)

In exercise of the powers conferred on him by Section 2 of Act III of 1858, and by the Notification of the Government of India in the Home Department, No. 336, dated the 15th June 1892, the Hon'ble the Lieutenant-Governor (Punjab) is pleased to confer the powers mentioned in section 14 of the Opium Act, 1878, upon all Police Officers above the rank of Sergeant within that part of the General Police District created by the Notification above cited, which lies within the Presidency of Bombay. (Punjab Government Gazette Notification No. 147, dated the 1st September 1893.)

Notification No. 3578 at *Bombay Government Gazette*, Part I, for 1878, page 609.

Notification No. 9339 at *Bombay Government Gazette*, Part I, for 1853, page 1000.

Notification No. 7249 at *Bombay Government Gazette*, Part I, for 1865, page 1102.

Notification No. 2362 at *Bombay Government Gazette*, Part I, for 1893, page 340.

Notification No. 3569A at *Bombay Government Gazette*, Part I, for 1893, page 428.

In exercise of the powers conferred by section 14 of the Opium Act, 1878, and in continuation of the Notifications under the said section specified in the margin, the Governor in Council is pleased to authorize, in right of their offices, the officers of the Police Department hereinbelow specified to exercise within the limits of their respective charges all the powers conferrable under the said section, that is to say :

All Head Constables specially appointed—

(a) for the protection of the Opium Revenue in the Bombay Presidency, including the Province of Sind,

(b) for the protection of the Abkari Revenue in any part of the Presidency of Bombay other than the Province of Sind.

(Government Notification No. 7157, dated 2nd October 1893, Revenue Department, page 933, *Bombay Government Gazette*, Part I, dated 5th idem.)

In exercise of the powers conferred by section 14 of the Opium Act, 1878, and in continuation of the Notifications under the said section specified in the margin, the Governor in Council is pleased to authorize, in right of their offices, the permanent and temporary detectives of the Bombay Opium Department to exercise, within the limits of the Town and Island of Bombay, all the powers conferrable under the said section, while employed

Notification No. 7157, dated 2nd October 1893, published at page 933 of *Bombay Government Gazette*, Part I, for 1893.

Notification No. 4, dated 2nd January 1895, published at page 27 of *Bombay Government Gazette*, Part I, for 1895.

within the said limits.

(Government Notification No. 240, dated 11th January 1898, Revenue Department, published at page 23, *Bombay Government Gazette*, Part I, dated 18th idem.)

In exercise of the powers conferred by section 14 of the Opium Act, 1878, the Governor in Council is pleased to authorize, in right of his office, the Superintendent, Opium Preventive Service, to exercise within the limits of the Bombay Presidency all the powers conferrable under the said section.

(Government Notification, Revenue Department, No. 3579, dated 25th May 1901, published at page 974 of the *Bombay Government Gazette*, Part I, of the 6th June 1901.)

In exercise of the powers conferred by section 14 of the Opium Act, 1878, and in continuation of the Notifications under the said section specified in the margin, His Excellency the Governor in Council is pleased to authorize, in right of their offices, the Head Constables in charge of the Subsidiary Police Stations at Shera and Garbada in the Panch Mahals District, to exercise within the limits of their respective charges all the powers described in the said section.

No. 7187, dated 2nd October 1893, published at page 953 of the *Bombay Government Gazette*, Part I, for 1893.

No. 4, dated 2nd January 1895, published at page 27 of the *Bombay Government Gazette*, Part I, for 1895.

No. 240, dated 11th January 1898, published at page 23 of the *Bombay Government Gazette*, Part I, for 1898.

(Government Notification No. 8441, dated the 3rd December 1901, published at page 2460 of the *Bombay Government Gazette*, Part I, dated the 5th idem.)

His Excellency the Governor in Council is pleased to cancel Government Notification, Revenue Department, No. 4, dated the 2nd January 1895, published at page 27 of the *Bombay Government Gazette*, Part I, of the 3rd idem, and in exercise of the powers conferred by section 14 of the Opium Act, 1878, and in continuation of the Notifications under the said section specified in the margin, His Excellency is further pleased to authorize, in right of their offices, the Risaldar, Jamadara, Detectives and Head Constables of the New Opium Preventive Service, to exercise within the limits of their respective charges all the powers described in the said section.

(Government Notification No. 6456, Revenue Department, dated the 16th April 1902, published at page 1561 of the *Bombay Government Gazette*, Part I, dated the 18th idem.)

In exercise of the powers conferred by section 14 of the Opium Act, 1878, the Governor in Council is pleased to authorize, in right of their offices, the officers in charge of the following Police Stations in Ahmedabad District, to exercise within the limits of their respective charges all the powers described in the said section :—

- | | |
|------------------------------|-----------------------------|
| 1. Naroda, taluka Daskroi. | 4. Harsol, taluka Prantij. |
| 2. Detroj, taluka Viramgam. | 5. Kavitha } taluka Dholka. |
| 3. Ranpur, taluka Dhandhuka. | 6. Arnej } |

(Government Notification No. 6752, Revenue Department, dated the 29th September 1903, published at page 1254 of the *Bombay Government Gazette*, Part I, dated the 1st October 1903.)

The Assistant Collector of Akkari, Khândesh and Násik Districts, has been authorized to exercise within the limits of his jurisdiction the powers described in this section.

(Government Notification, Revenue Department, No. 9685, dated the 14th December 1904, published at page 1678 of the *Bombay Government Gazette*, Part I, dated 15th idem.)

Power to seize opium in open places.

15. Any officer of any of the said departments may—

(a) seize, in any open place or in transit, any opium or other thing which he has reason to believe to be liable to confiscation under section eleven or any other law for the time being in force relating to opium,

(b) detain and search any person whom he has reason to believe to be guilty of any offence against this or any other such law, and, if such person has opium in his possession, arrest him and any other persons in his company.

Power to detain, search and arrest.

16. All searches under section fourteen or section fifteen shall be made in accordance with the provisions of the Code of Criminal

Searches how made.

Procedure, 1882.*

17. The officers of the several departments mentioned in section fourteen shall, upon notice given or request made, be legally bound to assist each other in carrying out the provisions of this Act.

Officers to assist each other.

18. Any officer of any of the said departments who, without reasonable ground of suspicion, enters or searches, or causes to be entered or searched, any building, vessel or place,

Vexatious entries, searches, seizures and arrests.

or vexatiously and unnecessarily seizes the property of any person on the pretence of seizing or searching for any opium or other thing liable to confiscation under this Act,

or vexatiously and unnecessarily detains, searches or arrests any person,

shall for every such offence be punished with fine not exceeding five hundred rupees.

19. The Collector of the District, Deputy Commissioner or other officer authorized by the Local Government in this behalf, either personally or in right of his office, or a Magistrate, may issue his

Issue of warrants.

* See now the Code of Criminal Procedure, 1898 (V of 1898), as modified up to the 1st April 1900.

warrant for the arrest of any person whom he has reason to believe to have committed an offence relating to opium, or for the search, whether by day or night, of any building or vessel or place in which he has reason to believe opium liable to confiscation to be kept or concealed.

All warrants issued under this section shall be executed in accordance with the provisions of the Code of Criminal Procedure, 1882.*

The Collector, † Deputy Collector and all Assistant Collectors of Salt Revenue have been authorized to issue warrants under this section within the limits of their respective charges. (Government Notification No. 3578, dated the 20th June 1879, published at page 609 of the *Bombay Government Gazette*, Part I, dated 26th idem.)

In exercise of the powers conferred by section 19 of the Opium Act, 1878, and in continuation of the Notification No. 3578, dated the 20th June 1879, the Governor in Council is pleased to authorize in right of his office, the Superintendent, Opium Preventive Service, to issue warrants under this section within the limits of the Bombay Presidency. (Government Notification, Revenue Department, No. 3579-A., of the 25th May 1901, published at page 974 of the *Bombay Government Gazette*, Part I, of the 6th June 1901.)

The Assistant Collector of Abkari, Khândesh and Násik Districts, has been authorized to exercise within the limits of his jurisdiction the powers described in this section.

(Government Notification, Revenue Department, No. 9685, dated the 14th December 1904, published at page 1678 of the *Bombay Government Gazette*, Part I, dated 15th idem.)

20. Every person arrested, and thing seized under section fourteen or section fifteen, shall be forwarded without delay to the officer in charge of the nearest Police station;

Disposal of person arrested or thing seized.

and every person arrested and thing seized under section nineteen shall be forwarded without delay to the officer by whom the warrant was issued.

Every officer to whom any person or thing is forwarded under this section shall with all convenient despatch take such measures as may be necessary for the disposal according to law of such person or thing.

21. Whenever any officer makes any arrest or seizure under this Act, he shall, within forty-eight hours next after such arrest or seizure, make a full report of all the particulars of such arrest or seizure to his immediate official superior.

* See now the Code of Criminal Procedure, 1893 (V of 1898), as modified up to the 1st April 1900.

† The post of Deputy Collector of Salt Revenue has since been abolished.

22. In the case of alleged illegal cultivation of the poppy, the crop shall not be removed, but shall, pending the disposal of the case, be attached by an officer superior in rank to a peon or constable, who may in right of his office be authorized by the Local Government in this behalf; and such officer shall require the cultivator to give bail in a reasonable amount (to be fixed by such officer) for his appearance before the Magistrate by whom the case is to be disposed of, and such cultivator shall not be arrested unless within a reasonable time he fails to give such bail:

Provided that, wherever Act No. XIII of 1857 (*An Act to consolidate and amend the law relating to the cultivation of the poppy and the manufacture of Opium in the Presidency of Fort William in Bengal*), or any part thereof, is in force, nothing in this section shall apply to such cultivation.

All Collectors, Assistant and Deputy Collectors, Mamlatdars, Mukhtarkars, Avalkarkuns and Head Munshis have been authorized to act under this section within the limits of their respective charges. (Government Notification No. 3578, dated 20th June 1879, published at page 609 of the *Bombay Government Gazette*, Part I, dated 28th idem.)

The Assistant Collector of Abkari, Khándesh and Násik Districts, has been authorized to exercise within the limits of his jurisdiction the powers described in this section.

(Government Notification, Revenue Department, No. 9685, dated the 14th December 1904, published at page 1678 of the *Bombay Government Gazette*, Part I, dated 15th idem.)

23. Any arrear of any fee or duty imposed under this Act or any rule made hereunder, and any arrear due from any farmer of opium revenue, may be recovered from the person primarily liable to pay the same to the Government or from his surety (if any) as if it were an arrear of land revenue.

24. When any amount is due to a farmer of opium revenue from his licensee, in respect of a license, such farmer may make an application to the Collector of the District, Deputy Commissioner or other officer authorized by the Local Government in this behalf, praying such officer to recover such amount on behalf of the applicant; and on receiving such application, such Collector, Deputy Commissioner or other officer may in his discretion

Farmer may apply to Collector or other officer to recover amount due to him by licensee.

Farmer may make an application to the Collector of the District, Deputy Commissioner or other officer authorized by the Local Government in this behalf, praying such officer to recover such amount on behalf of the applicant; and on receiving such application, such Collector, Deputy Commissioner or other officer may in his discretion

cover such amount as if it were an arrear of land revenue,* and shall pay any amount so recovered to the applicant:

Provided that the execution of any process issued by such Collector,† Deputy Commissioner or other officer for the recovery of such amount, shall be stayed if the licensee institutes a suit in the Civil Court to try the demand of the farmer and furnishes security to the satisfaction of such officer for the payment of the amount which such Court may adjudge to be due from him to such farmer:

Provided also that nothing contained in this section or done thereunder shall affect the right of any farmer of opium revenue to recover by suit in the Civil Court or otherwise any amount due to him from such licensee.

All Assistant and Deputy Collectors, Mámlatdárs, Mukhtíarkars and Mahalkaris have been authorized to act under this section, within the limits of their respective charges. (Government Notification No. 3578, dated the 20th June 1879, published at page 609 of the *Bombay Government Gazette*, Part I dated 28th idem.)

An appeal against an order passed by a Collector under this section lies to the Commissioner of the Division and not to the Commissioner of Opium (Government Resolution. Revenue Department, No. 1108, dated 6th February 1885.)

The Assistant Collector of Abkari, Khándesh and Násik Districts, has been authorized to exercise within the limits of his jurisdiction the power described in this section.

(Government Notification, Revenue Department, No. 9685, dated the 14th December 1904, published at page 1878 of the *Bombay Government Gazette*, Part I, dated 15th idem.)

25. When any person in compliance with any rule made hereunder gives a bond for the performance of any duty or act, such duty or act shall be deemed to be a public duty or an act in which the public are interested, as the case may be within the meaning of the Indian Contract Act, 1872, section 74 and upon breach of the condition of such bond by him, the whole sum named therein as the amount to be paid in case of such breach may be recovered from him as if it were an arrear of land revenue.

SCHEDULE [Enactment repealed] :—*Repealed by Act XII of 1891.*

* See the Revenue Recovery Act, 1890 (I of 1890), General Acts, Volume V.

† Substituted for "Deputy Collector" by the Repealing and Amending Act, 1891 (XII of 1891), Sch. 11, General Acts, Volume VI.

LIST OF APPENDICES.

1. Form A.—Special License to Medical Practitioner.—(See Rule 6 (a) under section 5.)
2. Form B.—Permit for Transport of Opium.—(See Rule 7 under section 5.)
3. Form C.—Permit for Conveyance of Opium from Government depôt to shop for retail sale.—(See Rule 7 under section 5.)
4. Form D.—Import Pass.—(See Rule 16 under section 5.)
5. Form E.—License for retail sale of opium for the districts of Ahmedabad, Kaira, Panch Mahals, Broach, Surat, Násik, Ahmednagar, Sholápur and Poona.—(See Rule 39 under section 5.)
6. Form of License for the retail sale of opium for the Province of Sind only.—(See Rule 39 under section 5.)
7. Form E-1.—License for retail sale of opium for the districts of Bijápur, Belgaum, Dhárwár, Sátára, Ratnágiri, Kánara, Thána, Kolába, Khándesh and the Town and Island of Bombay.—(See Rule 39 under section 5.)
8. Form E-3.—License for retail sale of opium by a person appointed by the farmer to retail on his behalf for the districts of Ahmedabad, Kaira, Panch Mahals, Broach, Surat, Násik, Ahmednagar, Sholápur and Poona.—(See Rule 45 under section 5.)
9. Form F.—Pass for the transport through British territory of opium liable to confiscation, in any part of the territories of His Highness the Gáskwár of Baroda.—(See Rule 38-A under section 5.)
10. Form G.—Pass for the import into, transport through, and export from, British territory, of opium which is the property of a farmer licensed by His Highness the Mahárája of the I'dar State.—(See Rule 38-B under section 5.)
11. Form H.—Pass for the import into, transport through, and export from, British territory, of opium which is the property of a farmer licensed by His Highness the Nizám.—(See Rule 38-C under section 5.)
12. Schedule A.—Form of Export Shipping Bill.—(See Rule 10 under section 8.)
13. Schedule B.—Scale of Warehouse Rent and Fees.—(See Rule 35 under section 8.)
14. Rules for the supply and issue of opium to and from Government depôts in the Bombay Presidency, and for the keeping of accounts thereof.—(See Rule 49 under section 5.)
15. Rules for the supply and issue of opium to and from sub-depôts (Táluka Treasuries) in the Province of Sind and for the keeping of accounts thereof.—(See Rule 49 under section 5.)

APPENDIX 1.

* FORM A.—SPECIAL LICENSE TO MEDICAL PRACTITIONER.

[See Rule 6 (a) under section 5.]

Special License is hereby granted, under No. 6 (a) of the Bombay Opium Rules, to A. B., following the profession of _____ at _____ for the possession of opium († in quantity not exceeding), subject to the following conditions, *vis.*:—

1. That he shall procure and have in his possession only such opium as he *bond fide* requires for making up medical preparations or prescriptions.

2. That except when taking or sending medical preparations from one place to another, as hereinafter permitted, he shall keep all opium in his possession at ‡ _____ and nowhere else.

3. That he shall procure all crude opium which he requires for the said purposes either from a Government depot or from a licensed retail vendor of opium, and not from any other place or person.

4. That he shall keep the seals on all balls of opium in his possession intact, except the seal on the ball at any time in actual use.

5. That he shall not sell crude opium to any person except on a *bond fide* medical prescription from a medical practitioner, and shall in no case sell to any one person on any one day more than three tolas of crude opium. (Amended by Government Notification No. 8384, dated 16th November 1897.)

6. That except to a medical practitioner holding a License under No. 6 (a) of the Bombay Opium Rules, he shall not sell to any one person in any one day more than the quantity specified below of any of the following preparations of opium, *vis.*:

Powdered opium,—3 tolas.

Extract of opium, } containing more than three tolas of crude
Tincture of opium, } opium.

(Amended by Government Notification No. 3662, dated 1st June 1898.)

7. That if he sells to a medical practitioner holding a License as aforesaid any such preparation as aforesaid, in quantity exceeding in any one transaction or in one day the limit fixed by clause 6 above, he shall satisfy himself, before permitting the removal of the preparation, that the purchaser has obtained from the proper authority § a permit to cover the transport thereof. (Amended by Government Notification No. 3662, dated 1st June 1898.)

8. That if he himself wishes to carry with him from place to place crude opium or any such preparation as aforesaid in quantity exceeding the limit fixed by clause 6 above, he shall obtain a similar permit to cover the transport thereof. (Amended by Government Notification No. 3662, dated 1st June 1898.)

* Substituted by Government Notification No. 6292, dated 3rd August 1892, page 778 of *Bombay Government Gazette*, Part I, dated 4th idem.

† Added by Government Notification No. 4561, dated 24th June 1893, page 560 of *Bombay Government Gazette*, Part I, dated 29th idem.

‡ In filling in the form one or more places may be specified according to circumstances.

§ In the City of Bombay, the Collector of Land Revenue, Customs and Opium, elsewhere the Collector of the district or other officer authorized by him.

9. That if he wishes to take or send any such preparation as aforesaid in quantity exceeding the limit fixed by clause 6 above from any place other than the City of Bombay to another district, or to the City of Bombay, he shall, when applying to the proper authority* for a permit to cover the transport thereof, produce a written permission from the proper authority* of the place to which the same is to be transported. (Amended by Government Notifications No. 9114, dated 19th November 1895, and No. 3662, dated 1st June 1898.)

10. That if he wishes to export any such preparation as aforesaid in quantity exceeding the limit fixed by clause 6 above to a Native State or to any territory administered by a Local Government other than the Government of Bombay, he shall before doing so obtain from the proper authority* an export pass, producing, with his application therefor, a written permission from the Political Agent of the Native State or the Collector of the British District to which the export is to be made; and if he wishes to bring back any preparation so exported, he shall obtain from the proper authority* an endorsement on the export pass permitting such re-importation. (Amended by Government Notification No. 3662, dated 1st June 1898.)

11. That he shall keep an accurate and regular account showing from time to time the quantities of dry opium and of extract and tincture of opium purchased by him, and also, in each case, the date of purchase and the name of the person from whom the purchase is made.

12. That he shall produce the said account and this License, and also any dry opium and any extract or tincture of opium that may be in his possession, for inspection on demand by any officer duly authorized in this behalf by the proper authority.*

Granted this the

day of

190 .

Seal of the
Collector.

Collector.

* In the City of Bombay, the Collector of Land Revenue, Customs and Opium, elsewhere the Collector of the district or other officer authorized by him.

APPENDIX 2.

FORM B.—PERMIT FOR TRANSPORT OF OPIUM

(See Rule 7 under section 5.)

No. of

Pass from (*here state locality and district*) to (*here state locality and district*), by (*here give route and mode of conveyance*), in charge of (*here give name*) opium to the amount of (*here state weight*) in (*here state number and description of packages*).

This pass is to remain in force from (*specify date and hour*) to (*specify date and hour*) and to be delivered on arrival of the opium at its destination to (*here enter name or official designation*).

Dated

190 .

Collector (or as the case may be).

APPENDIX 3.

FORM C.—PERMIT FOR CONVEYANCE OF OPIUM FROM GOVERNMENT DEPÔT TO SHOP FOR RETAIL SALE.

(See Rule 7 under section 5.)

No. of

Pass from the Government Opium Depôt at (*enter name*), at (*here enter locality and shop*), to the Shop of (*here enter name*) opium in charge of (*here enter name*), between the hours of *Tolas* *of* *N.* and *N.* on the (*here enter date*) 190 .

Dated at

190 .

Officer in charge of Depôt.

to the * to be there examined by the Collector or other officer nominated by the Collector to examine and pass opium for retail sale; that he will remove and dispose of forthwith in some lawful manner, other than for retail sale at his shops, any portion of the opium tendered for examination which the Collector or other officer aforesaid may reject as being unsuited for retail sale in the locality concerned; and that he will lodge such opium as may be passed by the Collector or other officer aforesaid, as well as opium purchased from a Government depôt, or from the Collector under clause 1 of this License, at such place, in such manner and under such custody, and will remove and transport opium from such place of deposit at such times, in such quantities and in such manner as the Collector or other officer aforesaid may from time to time direct.

4. That he will keep in stock at the place appointed by the Collector under clause 3 above, at all times between the 1st April 190 and the 1st March 190 inclusive a quantity of opium passed for retail sale by the Collector or other officer aforesaid, or of opium purchased from a Government depôt or from the Collector under clause 1, amounting in the aggregate to at least $\frac{1}{2}$ lbs. weight, or that he will deposit with the Collector the value thereof, Rupees

5. That he will keep in a book, bound and paged, each page of which shall bear the seal of the Collector, plain and correct accounts written up to date daily of opium lodged into, removed from, and in store at, the place of deposit mentioned in clause 3, and of opium daily received, sold and in stock at each of his retail shops, as well as the price realized by sale, together with a list showing the names and addresses of all persons to whom opium may be sold in quantities exceeding three tolas at one time, and will render to the Collector on or before the 5th of each month, a statement showing the number of pounds of opium lodged into, removed from, and in store at, the place of deposit mentioned in clause 3, and the number of pounds of opium received, sold and in store at each of his shops, during the preceding month, and will furnish forthwith on demand by the Collector such other accounts, returns and information respecting his dealings and arrangements under this License as the Collector may require; and that the keeping or rendering of incorrect accounts, statements or information will constitute a breach of the conditions of this License.

6. That the Collector shall have a lien on all opium held in stock by the Licensee at the place of deposit mentioned in clause 3 for the recovery of the contribution for establishment, recoverable under clause 21 and of any fine levied on him under clause 25.

7. That the Licensee will, immediately after the expiry or recall of this License, surrender to the Collector all opium remaining unsold on his hands on the date of the expiry or recall of this License as he may have been unable to dispose of in lawful manner, and will receive from the Collector such price, including duty, as the Collector shall adjudge for so much of the opium so surrendered as may not be liable to confiscation and as may be declared by the Collector to be of good quality and fit for retail sale; but he will not be entitled to receive any payment whatever for any portion of the opium so surrendered which may be liable to confiscation or which may be declared by the Collector to be unfit for retail sale.

* Here the name of the depôt or other place should be specified in writing.
 * One month's estimated sales of the district.

8. That he will not sublet any of his opium shops without permission of the Collector or employ for the retail sale of opium any person for whose employment in that behalf he may not have previously received written sanction and a separate license signed by the Collector authorizing such person to sell opium on behalf of the licensee.

9. That he will cause each ball of opium intended for sale to be stamped and stamped with the Collector's (or Mamlatdar's) Official Seal, at his own expense and in such manner as the Collector may prescribe; that in retelling opium only the quantity required by each successive customer shall, as far as possible, be cut off from a sealed ball; that without the written sanction of the Collector he shall not have in his possession at each of his shops more than one broken ball of opium at a time for sale to customers.

10. That he will retail opium only in the shops abovementioned and that he will open and maintain new shops and close existing shops and that he will maintain at each shop such minimum stocks of opium as may be required by the Collector from time to time during the currency of this license.

11. That he will keep and use for selling opium by retail and other purposes of this License such weights as may be prescribed by the Collector.

12. That except to a medical practitioner or other person holding a special License from the Collector, he will not sell more than three tolas weight of opium to any person at one time or on any one day in the aggregate.

13. That he will not adulterate or admix any foreign substance or material whatever with the opium sold by him.

14. That he will not receive any wearing apparel or other goods in barter for opium; that he, his servants, agents and his sub-tenants will not sell opium on credit nor at prices below* the rates notified from time to time for the issue of opium from the nearest Government depôt, or exceeding such rates by more than one anna for a tola, unless specially authorized by the Collector in writing to sell opium at a higher rate.

15. That he will not open his shop or make sales therein before sunrise; that he will not keep it open or make sales therein after 6 o'clock P.M., and that he will not harbour any person therein during the night.

16. That he shall keep all his shops open daily during authorized hours. If the Collector require him to establish any new shop, the Licensee shall open the same immediately on receipt of the Collector's order.

17. That he will not allow the consumption of opium on the premises; that he will not permit persons of notoriously bad character to resort to his shop; that he will prevent gaming and disorderly conduct therein and that he will give information to the nearest Magistrate or Police officer of any suspected persons who may resort to his shops.

* In License for the districts of Ahmedabad, Kaira, Broach, Surat and the Panch Mahals, the following words should be inserted between the word "below" and the words "the rates" in line 8 of clause 14:—"Half an anna for a tola in advance of."

APPENDIX 6.

[FOR THE PROVINCE OF SIND ONLY.]

Form
of

License for the Retail Sale of Opium.

District, Taluka, Town or Village in which Shop is situated—

No. of License in the Register—

Name of Retail Licensee—

Boundaries of the Shop—

Exact Situation—

BE IT KNOWN THAT, in consideration of the sum of Rs. (

offered by
(hereinafter called the Licensee), resident at _____ in the
town of _____, he is hereby authorised by the
Collector of _____ to sell Opium by retail at the shop
abovementioned from the first day of April 190 _____ to the thirty-first day of
March 190 _____ (both days inclusive), upon the following conditions:—

1. That the sum mentioned in the preamble, if it is Rs. (100) one hundred or less, shall be paid in advance by the Licensee into the Treasury of _____ at the time of the issue of this License; but if it exceeds Rs. (100) one hundred, it shall be paid into the same Treasury in four equal instalments, namely one instalment at the time of the issue of the License, and the other three on the 1st July, the 1st October and the 1st January, respectively. The Licensee shall pay interest at the rate of 12 per cent. per annum on all arrears, if any, left outstanding on the dates on which they are payable, and in the event of any default in payment of any sum due by the Licensee under this License the Collector may recover the same with interest thereon at 12 per cent. per annum from the date on which it fell due from the moneys which have been deposited by him as security under clause 16 of this License or as an arrear of Land Revenue. Any portion of the security so appropriated shall be replaced by the Licensee within 15 days.

2. That the Licensee shall sell no Opium but such as he may purchase from a Government depot, and that he shall not receive, or have in his possession, Opium obtained otherwise. That no Opium shall be transported from one shop to another.

3. That the Licensee shall, immediately after the expiry or recall of this License, surrender to the Collector all Opium remaining unsold on his hands

on the date of the expiry or recall of this License as he may have been unable to dispose of in lawful manner, and will receive from the Collector such price, including duty, as the Collector shall adjudge for so much of the Opium so surrendered as may not be liable to confiscation and as may be declared by the Collector to be of good quality and fit for retail sale; but he shall not be entitled to receive any payment whatever for any portion of the Opium so surrendered as may be liable to confiscation or as may be declared by the Collector to be unfit for retail sale.

4. That the Licensee shall not sell, transfer or sub-let his right of sale of Opium under this License, nor enter into any agreement in connection with the exercise of the said right which in the opinion of the Collector is of the nature of a sub-lease.

5. That the Licensee may appoint any person approved by the Collector (or any officer duly authorised by him) to conduct the business of his shop, but he shall be personally liable for any breach of the conditions of this License committed by such servant. If the Collector orders on any ground the removal of such servant, the Licensee shall obey the order. A *nokarnama* shall be issued to such servant by the Licensee and shall be countersigned by the Collector or any officer as aforesaid. No *nokarnama* shall be issued to a female or to any person under 18 years of age.

6. That the Licensee shall retail Opium only in the shop abovementioned and, unless with the sanction in writing of the Collector, shall keep Opium only at the said shop or at the Government depôt. That he shall not transfer the shop from the abovementioned house to another without the written permission of the Collector.

7. That the Licensee shall keep and use for selling Opium by retail and other purposes of this License such weights as may be prescribed by the Collector.

8. That, except to a medical practitioner or other person holding a special License from the Collector, the Licensee shall not sell more than three tolas weight of Opium to any person at one time or on any one day in the aggregate.

9. That the Licensee shall not adulterate or admix any foreign substance or material with the Opium sold by him. That, in retailing Opium issued to him in balls, threaded and stamped with the Collector's or Mukhtiarkar's seal, only the quantity required by each successive customer shall, as far as possible, be cut off from a sealed ball; that, without the written sanction of the Collector, he shall not have in his possession more than one broken ball of Opium at a time for sale to customers. That he shall maintain such minimum stock of Opium in his shop at all times as the Collector may direct. That the cash realised from the sale of Opium during the day shall not be removed from the shop until the hour of closing, i.e., 9-30 p. m. (Madras time), and that it shall be shown and counted out to any inspecting officer of the rank mentioned in clause 15.

10. That the Licensee shall not receive any wearing apparel, or other goods, in barter for Opium. That he and his servants shall not sell Opium on credit, nor at prices below the rates notified from time to time for the issue of Opium from the nearest Government depôt, nor at prices exceeding such Government depôt issue rates by more than Rs. 4 per lb., unless specially

authorised, with the Commissioner's previous approval, by the Collector in writing to sell Opium at a higher rate.

11. That the Licensee shall not open his shop, or make sales therein, before sunrise; that he will not keep it open, or make sales therein, after 9-30 o'clock p. m. (Madras time); that he will not close his shop during authorised hours without the sanction of the Collector; and that he will not harbour any person therein during the night.

12. That the Licensee shall not allow the consumption of Opium on the premises; that he shall not permit persons of notoriously bad character to resort to his shop; that he shall prevent gaming and disorderly conduct therein; and that he shall give information to the nearest Magistrate or Police Officer of any suspected persons who may resort to his shop. That he shall keep his shop clean and have it white-washed at least once a year.

13. That the Licensee shall have constantly fixed up, at the entrance of his shop, a signboard bearing the following inscription, in legible characters, in the vernacular language:—

(Name of Vendor.)

Licensed to Retail Opium. Price per Tola, Annas

14. That the Licensee shall keep in a book, bound and paged, each page of which shall bear the seal of the Collector or of the Mukhtiar, and write up to date daily a plain and correct account in such form as the Collector may direct, showing the quantity of Opium purchased and sold daily and the quantity of Opium in stock at the end of each day, together with a list showing the names and addresses of all persons to whom Opium may be sold in quantities exceeding three tolas at one time. That all dryage and wastage shall be written up in the account at least once a week. That he shall furnish to the Mukhtiar before the 3rd of each month such accounts, returns and information respecting his dealings and arrangements under this License as the Collector may require; and that the keeping and rendering of incorrect accounts, returns or information will constitute a breach of the conditions of this License.

15. That the Licensee shall produce for inspection, on demand of any Revenue Police Excise or Customs Officer above the rank of Jamadar, his License and accounts, as well as the whole quantity of Opium in his possession; and that he shall not prevent any Revenue, Police, Excise or Customs Officer, of whatever grade from entering his shop at any hour of the day or night.

16. That the Licensee has deposited with the Collector the sum of Rupees* ()

as security for the due performance by him of the conditions prescribed in this License, and that the said amount or such portion of it as may not have been appropriated by the Collector in liquidation of Government demands against him will be returned to him after the expiry of this License and after all demands against the Licensee shall have been fully satisfied.

17. That this License may be recalled by the Collector—

(a) for default of punctual payment of any of the instalments mentioned in clause 1; or

* One-sixth of the amount mentioned in the preamble.

At a default or violation of any of the conditions specified in this License;

- (a) if he is guilty of mismanagement contrary to the express or implied conditions of this License which may conduce to fraud or loss affecting the consumer or Government; or
- (b) if the holder thereof is convicted of a breach of the peace or of any other crime during the currency of this License; or
- (c) if he infringes any of the conditions imposed on him by the Opium Act, 1878, or by the rules in force thereunder.

18. That any sum deposited to Government in consequence of the recall of the License for any of the above said causes shall be recovered from him from the cash deposited by him or in such other lawful manner as the Collector shall direct. He shall not be entitled to any sum that may be realized over and above the sum payable by him by putting the License to sale in consequence of his default, nor shall he be entitled to any compensation or refund of any sum paid by him.

19. That the Collector shall have power at any time to impose a fine not exceeding Rs. twenty two hundred on the Licensee, instead of recalling this License, for infraction by the Licensee or by any of his servants, of any of the conditions of this License or for other mismanagement contrary to the express or implied conditions of this License which may conduce to fraud or loss affecting the consumer or Government, and to recover the amount of the fine so imposed from the cash deposited by the Licensee or in such other lawful manner as the Collector may think fit. Nothing contained in this clause or in clauses 17 and 18 shall, however, affect the liability of the Licensee to criminal prosecution under the Opium Act.

20. That the Collector reserves to himself the power to issue additional Licenses for the retail of Opium in _____ whenever, in his opinion, the number of shops then licensed is not sufficient for the convenience of the public.

21. That the License does not cover the manufacture and sale by the Licensee of chandel, madat or any other preparation of poppy juice other than opium.

22. That the Licensee shall comply with all Police regulations as to the closing of shops on the occasion of the Mohuram and other festivals. No compensation or allowance will be made on account of such closure.

Granted this

day of

190 .



Collector.

APPENDIX 7.

No. 2.

[FOR THE DISTRICTS OF BIJA'PUR, BELGAUM, DHA'RWA'R, SA'TA'RA, RATNA'GIRI, KANARA, THANA, KOLABA, KHA'N-DESH AND THE TOWN AND ISLAND OF BOMBAY ONLY.]



FORM E-1.

License for Retail Sale of Opium.

*District**Number of License in Register**Name of Retail Licensee**Boundaries of the Shop**Exact Situation*

BE IT KNOWN THAT in consideration of the sum of Rs. (hereinafter called the Licensee),
 bid by , in the town of
 resident at , he is hereby
 authorized by the Collector of to sell opium by retail at the
 shops abovementioned from the first day of April 190 , to the thirty-first day
 of March 190 (both days inclusive), upon the following conditions:—

1. That the sum mentioned in the preamble if it is Rs. (100) one hundred or
(300) three hundred
 less in the Mofussil
 or less in Bombay City shall be paid in advance by the Licensee into the Treasury
 of at the time of the issue of this License; but if it exceeds
 Rs. (100) one hundred in the Mofussil
(300) three hundred in Bombay City it shall be paid into the same Treasury in
 four equal instalments, namely, one instalment at the time of the issue of the
 License and the other three on the 1st July, the 1st October and the 1st Janu-
 ary, respectively. The Licensee shall pay interest at the rate of 12 per cent.
 per annum on all arrears, if any, left outstanding on the dates on which they
 are payable and in the event of any default in payment of any sum due by the
 Licensee under this License the Collector may recover the same with interest
 thereon at 12 per cent. per annum from the date on which it fell due from the
 Licensee or as an arrear of land revenue. Any portion of the security so appro-
 priated shall be replaced by the Licensee within 15 days.
2. That the Licensee shall sell no opium but such as he may purchase
 from a Government depot, and that he shall not receive, or have in his posses-

sion, opium obtained otherwise. That no opium shall be transported from one shop to another.

3. That the Licensee shall immediately after the expiry or recall of this License, surrender to the Collector all opium remaining unsold on his hands on the date of the expiry or recall of this License as he may have been unable to dispose of in lawful manner, and will receive from the Collector such price, including duty, as the Collector shall adjudge for so much of the opium so surrendered as may not be liable to confiscation and as may be declared by the Collector to be of good quality and fit for retail sale; but he shall not be entitled to receive any payment whatever for any portion of the opium so surrendered as may be liable to confiscation or as may be declared by the Collector to be unfit for retail sale.

4. That the Licensee shall not sell, transfer or sublet his right of sale of opium under this License, nor enter into any agreement in connection with the exercise of the said right which in the opinion of the Collector is of the nature of a sub-lease.

5. That the Licensee may appoint any person approved by the Collector (or any officer duly authorized by him) to conduct the business of his shop, but he shall be personally liable for any breach of the conditions of this License committed by such servant. If the Collector orders on any ground the removal of such servant the Licensee shall obey the order. A Nokarnama shall be issued to such servant by the Licensee and shall be countersigned by the Collector or any officer as aforesaid. No Nokarnama shall be issued to a female or to any person under 18 years of age.

6. That the Licensee shall retail opium only in the shop abovementioned; and, unless with the sanction in writing of the Collector, shall keep opium only at the said shop or at the Government depot. That he shall not transfer the shop from the abovementioned house to another without the written permission of the Collector.

7. That the Licensee shall keep and use for selling opium by retail and other purposes of this License such weights as may be prescribed by the Collector.

8. That, except to a medical practitioner or other person holding a special License from the Collector, the Licensee shall not sell more than three tolas weight of opium to any person at one time, or on any one day in the aggregate.

9. That the Licensee shall not adulterate or admix any foreign substance or material with the opium sold by him. That in retailing opium issued to him in balls threaded and stamped with the Collector's or Mámlatdár's seal, only the quantity required by each successive customer shall, as far as possible, be cut off from a sealed ball; that without the written sanction of the Collector he shall not have in his possession more than one broken ball of opium at a time for sale to customers. That he shall maintain such minimum stock of opium in his shop at all times as the Collector may direct. That the cash realized from the sale of opium during the day shall not be removed from the shop until the hour of closing, i. e., 9-30 p.m. (Madras time) and that it shall be shown and counted out to any inspecting officer of the rank mentioned in clause 15.

10. That the Licensee shall not receive any wearing apparel or other goods in barter for opium; that he and his servants shall not sell opium on credit, nor at prices below the rates notified from time to time for the issue of opium

from the nearest Government depôt, nor at prices exceeding such Government depôt issue rates by more than two annas for a tola unless specially authorized with the Opium Commissioner's previous approval, by the Collector in writing to sell opium at a higher rate.

11. That the Licensee shall not open his shop or make sales therein before sunrise; that he will not keep it open or make sales therein after 9-30 o'clock p.m. (Madras time); that he will not close his shop during authorized hours without the sanction of the Collector; and that he will not harbour any person therein during the night.

12. That the Licensee shall not allow the consumption of opium on the premises; that he shall not permit persons of notoriously bad character to resort to his shop; that he shall prevent gaming and disorderly conduct therein; and that he shall give information to the nearest Magistrate or Police Officer of any suspected persons who may resort to his shop. That he shall keep his shop clean and have it whitewashed at least once a year.

13. That the Licensee shall have constantly fixed up at the entrance of his shop a signboard bearing the following inscription, in legible characters, in the vernacular language:—

(NAME OF VENDOR.)

"LICENSED TO RETAIL OPIUM." "PRICE PER TOLA, ANNAS ."

14. That the Licensee shall keep in a book, bound and paged, each page of which shall bear the seal of the Collector or of the Mámlatdár, and write up to date daily a plain and correct account in such form as the Collector may direct, showing the quantity of opium purchased and sold daily and the quantity of opium in stock at the end of each day, together with a list showing the names and addresses of all persons to whom opium may be sold in quantities exceeding three tolas at one time. That all dryage and wastage shall be written up in the account at least once a week. That he shall furnish to the Mámlatdár and the District Abkâri Inspector before the 3rd of each month such accounts, returns and information respecting his dealings and arrangements under this License as the Collector may require; and that the keeping and rendering of incorrect accounts, returns or information will constitute a breach of conditions of this License.

15. That the Licensee shall produce for inspection on demand of any Revenue, Police, Excise or Customs Officer above the rank of Jamadâr his License and accounts, as well as the whole quantity of opium in his possession; and that he shall not prevent any Revenue, Police, Excise or Customs Officer of whatever grade from entering his shop at any hour of the day or night.

16. That the Licensee has deposited with the Collector the sum of Rs.* as security for the due performance by him of the conditions prescribed in this License, and that the said amount or such portion of it as may not have been appropriated by the Collector in liquidation of Government demands against him will be returned to him after the expiry of this License and after all demands against the Licensee shall have been fully satisfied.

* One-sixth of the amount mentioned in the preamble.

17. That this License may be recalled by the Collector—

- (a) for default of punctual payment of any of the instalments mentioned in clause 1 ; or
- (b) for default or violation of any of the conditions specified in this License; or
- (c) for other mismanagement contrary to the express or implied conditions of this License which may conduce to fraud or loss affecting the consumers or Government ; or
- (d) if the holder thereof be convicted of a breach of the peace or of any other offence during the currency of this License ; or
- (e) if he infringes any of the conditions imposed on him by the Opium Act, 1878, or by the rules in force thereunder.

18. That any loss caused to Government in consequence of the recall of this License for any of the aforesaid causes shall be recovered from him from the cash deposited by him or in such other lawful manner as the Collector shall direct. He shall not be entitled to any sum that may be realized over and above the sum payable by him by putting the License to sale in consequence of his default, nor shall he be entitled to any compensation or refund of any sums paid by him.

19. That the Collector shall have power at any time to impose a fine not exceeding Rs. 200 on the Licensee, instead of recalling this License, for infringement by the Licensee, or by any of his servants, of any of the conditions of this License or for other mismanagement contrary to the express or implied conditions of this License which may conduce to fraud or loss affecting the consumers or Government, and to recover the amount of the fine so imposed from the cash deposited by the Licensee, or in such other lawful manner as the Collector may think fit. Nothing contained in this clause or in clauses 17 and 18 shall, however, affect the liability of the Licensee to criminal prosecution under the Opium Act.

20. That the Collector reserves to himself the power to issue additional Licenses for the retail of opium in _____ whenever in his opinion the number of shops there licensed is not sufficient for the convenience of the public.

21. That the License does not cover the manufacture and sale by the Licensee of chandul, madat or any other preparation of poppy juice other than opium.

22. That the Licensee shall comply with all Police regulations as to the closing of shops on the occasion of Mohoram and other festivals. No compensation or allowance will be made on account of such closure.

Granted this the

day of

190 .

APPENDIX 8.

No. 4.

[FOR THE DISTRICTS OF AHMEDABAD, KAIRA, PANCH MAHALS,
BROACH, SURAT, NASIK, AHMEDNAGAR, SHOLAPUR AND
POONA.]



FORM B—8.

*Licensee under Rule 46 of the Opium Rules for Retail Sale of Opium by a
person appointed by the Farmer for the
to retail on his behalf.*

District

Number of License in Register

Name of Retailer

Locality of Shop

BE IT KNOWN THAT

resident at

in the town of

is hereby authorized by the Collector to sell Opium by retail at the
shop abovementioned from the _____ day of _____
190 to the _____ day of _____ 190 (both days
inclusive), upon the following conditions:—

1. That he will sell no opium but such as may be supplied to him by _____
being the licensed farmer of the right to retail opium in the _____
and that he will not receive or have in his
possession opium obtained otherwise.
2. That he will retail opium in the shop abovementioned, and will keep
opium only at the said shop.
3. That he will keep and use for retailing opium such weights as may be
prescribed by the Collector.
4. That except to a medical practitioner or other person holding a special
License from the Collector, he will not sell more than three tolas weight of
opium to any person at one time or in any one day in the aggregate.
5. That he will not adulterate or admix any foreign substance or material
with the opium sold by him; that in retailing opium issued to him in balls
threaded and stamped with the Collector's or Mámlatdár's seal only the quantity
required by each successive customer shall, as far as possible, be cut off from a

sealed ball; that * (without the written sanction of the Collector)* he shall not have in his possession more than one broken ball of opium at a time for sale to customers.

6. That he will not receive any wearing apparel or other goods in barter for opium; that he will not sell opium on credit nor at prices below † the rates notified from time to time for the issue of opium from the nearest Government Depôt, or exceeding such rates by more than one anna for a tola, unless specially authorized by the Collector in writing to sell opium at a higher rate.

7. That he will not open his shop or make sales therein before sunrise; that he will not keep it open or make sales therein after 9 o'clock P.M. (Bombay time); that he will not close his shop during authorized hours without the sanction of the Collector; and that he will not harbour any person therein during the night.

8. That he will not allow the consumption of opium on the premises; that he will not permit persons of notoriously bad character to resort to his shop; that he will prevent gaming and disorderly conduct therein; and that he will give information to the nearest Magistrate or Police Officer of any suspected persons who may resort to his shop.

9. That he will have constantly fixed up at the entrance of his shop a signboard bearing the following inscription in legible characters in the vernacular language :—

(NAME OF FARMER. NAME OF VENDOR.)

"LICENSED TO RETAIL OPIUM; PRICE PER TOLA, ANNAS ."

10. That he will keep in a book, bound and paged, each page of which shall bear the seal of the Collector or of the Mámlatdár and write up to date daily a true and correct account in such form as the Collector may direct showing the quantity of opium received and sold daily and the quantity in stock at the end of each day, as well as the price recovered for opium sold, together with a list showing the names and addresses of all persons to whom opium may be sold in quantities exceeding three tolas at one time. That he will furnish to the Collector such accounts, returns and information respecting his dealings under this License as the Collector may require.

11. That he will produce for inspection on demand of any Revenue, Police, Excise or Customs Officer above the rank of Jamádár, his License and accounts as well as the whole quantity of opium in his possession; and that he will not prevent any Revenue, Police, Excise or Customs Officer of whatever grade from entering his shop at any hour of the day or night.

12. That he shall not manufacture or sell chandul, madat, or any other preparation of poppy-juice other than opium.

13. That this License may be recalled by the Collector at any time without assigning any reason.

14. That the Collector shall have power at any time to impose a fine not exceeding Rs. 200 on the licensed shopkeeper for infringement by him of any

* This bracketed portion is to be retained in the Licenses to be granted to the servants of the farmers who are authorized to import opium direct either from Málwa or Bombay.

† In licenses for the districts of Ahmedabad, Kaira, Broach, Sarat and Panch Maháls, the following words should be inserted between the word "below" and the words "the rates" in line 3 of Clause 6 :—"Half an anna for a tola in advance of."

APPENDIX 11.

Form II.

(See Rule 33C.)

No. or 1904.

Pass in accordance with Rule 33C of the rules under section 5 of the Opium Act, 1878, from the Opium Depot at Gulbarga in the territory of His Highness the Nizam Indian Maunds _____ seers _____ tolas of opium, the property of _____ farmer licensed at _____ for retail sale at _____ in the Usmanabad District of His Highness' territory, to be taken by the following route and within the following times, viz. —

Departing from _____
 Within (time) _____
 Passing through _____
 Within (time) _____ arriving at _____ for sale
 within (time) _____ in charge of _____

(Signature) _____

Officer in charge of the Opium Depot at Gulbarga.

Dated at _____

APPENDIX 12.

SCHEDULE A.

(Reverse.)

Vessel's name may be altered.

Fee one Rupee.

Vessel's name may be altered.

Fee one Rupee.

190

Asst. Collector.

Fees received.

Cashier.

After check with the original

entry for

fresh one may be granted for the

portion shut out or not shipped.

Fee one Rupee.

190

Asst. Collector

Fees received.

Cashier.

190

Asst. Collector.

No.

FOR MEASUREMENT AT BANDAR AND COLLECTION
OF MEASUREMENT FEE.

BOMBAY _____ 190

Rs. a. p.

Measurement Fee on _____ bales levied.....

(Signed) _____

Measurement Fee Clerk.

[N. B.—Henceforward the Export Shipping Bills (Export Notes) will be presented by shippers in triplicate.

The original of those will be taken with the first boat-load of each consignment to the Ship or Steamer, as the case may be, and delivered to the Master or Commander, who will keep it with him until the lading of the vessel is completed, and at the time of applying for Port Clearance, deliver all such Export Shipping Bills duly endorsed to his having received on board the quantity covered by these Bills, with the Export Manifest in duplicate as usual.

The duplicate copy will be delivered to the Gate-keeper, who will endorse on the back of it the quantity as will be passed by him, and in the evening will return to the Export Department all such duplicates that will be completely disposed of.

The triplicate will remain in the Custom House as Office Record.]

Contents received.

(Signature) _____

Master or Commander of the Vessel.

APPENDIX 13.

SCHEDULE B.

(See Rule 35 under Section 8).

TABLE I.

RENT.

(As amended by Government Notification No. 3588, dated 18th May 1886.) -

No. of Compartment in Warehouse.	Rate per mensem.	Payable.	No. of Testing-rooms.	Rate per mensem.	Payable.
3, 4, 9 and 10	Rs. 80 each.	Monthly in advance.	1 and 7	Rs. 30 each.	Monthly in advance.
1, 7, 13, 15, 16 and 18 ...	Rs. 75 do.	Do. ...	2, 3, 4, 5, 6, 8, 9, 10, 11, 12 and 13.	Rs. 15 do.	Do.
2, 5, 6, 8, 11, 12, 14 and 17	Rs. 70 do.	Do.			

* At present in lieu of rent for compartments fees at the rate specified in Table II are charged.

TABLE II.

WAREHOUSE FEES.

(As amended by Government Notification No. 5447, dated 5th August 1890.)

	Rate per chest.	Payable.
When deposited in any compartment in the warehouse.	At the rate of 101 annas on each chest or two half chests.	Before receipt of opium into warehouse.

NOTE.—This rate does not include rent for testing-rooms, which will be charged for separately as provided for in Table I; that is, at the rate of Rs. 30 each per mensem, payable monthly in advance, in the case of rooms Nos. 1 and 7 and of Rs. 15 each per mensem, also payable in advance, in the case of rooms Nos. 2, 3, 4, 5, 6, 8, 9, 10, 11, 12 and 13.

APPENDIX 14.

CIRCULAR.

No. 1560 OF 1904.

*Bombay, Office of the Commissioner
of Customs, Salt, Opium and A'b-
kari, 17th March 1904.*

The following Rules are prescribed for the supply and issue of opium to and from Government depôts in the Bombay Presidency, and for the keeping of accounts thereof, in modification of the Rules prescribed in this office Circular No. 6821, dated the 23rd October 1882.

2. No opium shall be kept for sale in any depôt except (a) opium obtained on indent upon the Collector of Customs and Opium, Bombay, (b) confiscated opium sent for disposal to the depôt by order of the Collector of the district (or Political Agent) under Rule 53 of the Opium Rules of 1885, (c) opium left unsold in the hands of a licensed vendor or farmer on the expiry of his license or farm and surrendered to the Collector under Rule 47, and (d) opium otherwise supplied or obtained under a special order of the Commissioner of Opium.

3. Stocks of classes (a), (b), (c) and (d) that may be in store in the depôts should be kept separate, and each chest or parcel comprised in the stocks should be marked with a distinguishing letter of the alphabet.

4. Each chest or parcel of opium (except chests of class (a) despatched from Bombay, which will be marked in Bombay with consecutive numbers before their despatch, and which numbers should be preserved intact and adhered to throughout until the opium has been disposed of) that may be received into depôts should, immediately on its receipt, be similarly marked with a distinguishing letter.

5. The first series of numbering should be A, B, C and so on to Z; the second series shall be A-1, B-1, C-1 and so on to Z-1; the third series A-2, B-2, C-2 and so on to Z-2; and so on with the fourth, fifth and subsequent series. In Districts in which there is a Huzûr depôt with several sub-depôts, a single series of numbering should be maintained both for stocks at the Huzûr depôt and the sub-depôts, the allotment of distinguishing characters, to each chest or parcel in stock, or received into the Huzûr depôt or a sub-depôt, being made by the Officer in charge of the Huzûr depôt. Great care should be taken to conserve the numbers assigned to chests supplied by the Collector of Customs, Bombay, and in the case of all other stocks, the local distinguishing

characters, until the whole of the opium contained in each chest or parcel has been finally disposed of, whether at the Huzúr depôt or at a sub-depôt.

Supplies of Opium to depôts.

6. Indents for opium required to replenish depôts should be forwarded half-yearly in February and August in each year to the Collector of Customs and Opium, Bombay. Each indent should be prepared in the accompanying Form A. and should state the number of whole and half chests wanted to meet the probable requirements of the indenting depôt (including the sub-depôts, if any, ordinarily supplied by it), during the half year, in the case of an indent prepared in February, from May to October, and in the case of an indent prepared in August, from November to April. The indent should be sent to the Collector of Customs and Opium, Bombay, in *triplicate*.

7. Opium indented for in February will be forwarded by the Collector of Customs to the indenting depôts before the end of April following, and opium indented for in August will be forwarded similarly before the end of October following.

8. If opium be required by a depôt before the time fixed for supply on a half-yearly indent, a special indent may be forwarded to the Collector of Customs with an explanation of the circumstances rendering its submission necessary. The submission of special indents should be avoided as much as possible.

9. Along with the consignment of opium sent in compliance with each indent the Collector will return to the Indenting Officer two copies of the indent after completing the portions thereof intended to be filled up by him, showing the number of whole and half chests sent, the distinguishing number marked on each, and the mode in, and the route by which they have been despatched.

10. On arrival of the consignment at its destination, the Indenting Officer should carefully examine the outward appearance of the chests to see that they have not been tampered with in transit, and should then open each chest, weigh out its contents by standard weights,* note down the weight thus ascertained, re-pack the opium in the same or other receptacle as may be convenient (if other receptacle is used, the number on the original chest should be marked thereon), and then seal the same receptacles and deposit them in the Treasury. When the weighment of all the chests forming the consignment is completed, he should write the required report, showing the result of the weighment, below the

* Lbs. of 49 tolas each.

copies of the indents returned by the Collector of Customs along with the consignment, and re-transmit one copy to that officer, retaining the other copy for his records. On receipt of the copy, the Collector of Customs will make such enquiries and take such action on it as he may deem necessary, and after copying out the Dépôt officer's report on his office copy, will forward it on to the Commissioner.

11. A similar procedure, *mutatis mutandis*, should be observed in the case of opium received at a sub-dépôt from its Huzúr dépôt.

Issue of Opium.

12. Opium may be issued from a dépôt—

(a) to licensed retailers of the district in which the dépôt is situated,

(b) for the supply of sub-dépôts, and

(c) to Native Chiefs ordinarily supplied from the dépôt.

13. A single chest should be opened at a time for the issue of opium, and no other chest should be opened until the whole of the contents of the first has been cleared. This restriction does not apply in the case of small parcels of confiscated opium, which, under the orders contained in Government of India Resolution No. 769-Ex., dated 14th February 1898, and letter No. 2344-Ex., dated 21st May 1898, embodied in Bombay Government Resolutions Nos. 1524 and 3799, dated respectively the 1st March and 7th June 1898, if exceeding five tolas in weight and found to be fit for human consumption, should, instead of being locally disposed of, be sent to the Superintendent of the Pátna or Gazipur Opium Factory, whichever is nearer, for disposal. This restriction does not also apply in the case of small parcels of opium surrendered by retailers and farmers, which should be disposed of as quickly as possible; nor in the case of a demand for a whole or half chest at one time by any one person, which may be met by the issue of a full whole or half chest that may be in stock. As a rule opium should be issued from Huzúr dépôts to sub-dépôts in whole or half chests at a time.

14. The contents of every chest opened for issue should be weighed, and the weight noted down, before any opium is issued from it.

15. No opium should be issued from a dépôt without being actually weighed.

16. Except in the case of opium transferred from one dépôt to another, full price at the fixed issue rate in force for the time

being should be recovered for opium issued from a Government depôt (unless in the case of any confiscated opium the Collector shall have fixed a special rate to be charged for it, when the special rate so fixed should of course be charged). Separate instructions have been issued regarding the refund of the whole or a portion of the duty on opium supplied from depôts to Native Chiefs entitled to such refund. Each ball of opium issued from Government depôts to licensed retailers should be sealed in the manner directed in Government Resolution No. 1658, dated the 11th March 1882.

Periodical Examination of Opium Stocks.

17. On the 1st of each month the officer in charge of a depôt shall carefully examine each of the sealed up chests and parcels of opium in stock, and weigh the contents of any that may show indications of having been tampered with, as well as of the chest then open for the issue of opium. On the 1st April and 1st October of each year the contents of all chests and parcels in stock should be re-weighed by the same officer. Stock should also be taken once in every six months by Collectors, or by Assistant or Deputy Collectors by them deputed to the duty, as well as on special occasions rendering such stock-taking necessary.

Accounts.

18. The supply and issue of opium to and from Government depôts should be made and recorded in pounds, each pound being taken as equal to 40 tolas, and a tola being taken as equal to the weight of a British Indian Rupee, weighing 180 grains.

19. The officer in charge of each depôt shall keep a day book in the annexed Form B, in which he should enter from day to day the quantities of opium received and issued by him, as well as any excess or deficiency on the recorded weight of stocks found on re-weighment thereof in accordance with the provisions of the foregoing rules. The distinguishing number or character of the chest or parcel to which each entry made in the account relates should be noted in the column provided for that purpose.

20. In the case of opium sold from a depôt, the name of the person to whom it is sold, and the price recovered from the purchaser should be noted in the appropriate columns of the account.

21. In the case of opium received from the Collector of Customs, or by a sub-depôt from a Huzúr depôt, the full weight of each chest or parcel as advised by the despatching officer should be credited by the receiving officer in his accounts, and any difference between that weight and the weight ascertained by actual weighment on arrival should be adjusted by him as "Gain", or "Loss", as the case may be.

22. The officer in charge of each depôt should keep a balance book in the annexed Form C, in which he should enter from day to day the weight of each chest or parcel of opium added to the stock, and the quantities issued or written off daily from each, and bring forward the balances for the next day.

23. On the last day of each month on which the Treasury accounts for the month are usually closed, an abstract of the opium transactions of the month should be prepared in the form given on the reverse of Form B appended hereto.

24. A copy of the abstract, together with details of the excesses and deficiencies adjusted during the month, as per Form D-1, should be sent immediately after the close of each month's accounts by the officer in charge of a sub-depôt to the officer in charge of the Huzúr depôt to whom he is subordinate.

25. Immediately after the close of each month, the officer in charge of each depôt in direct account with the Chief Account Officer of Customs, Salt and Opium, Bombay, should prepare accounts in Forms D, D-1, D-2 (with its appendix) and D-3, hereto appended, showing details of opium transactions during the month, including opium transactions of the sub-depôts, if any, subordinate to him, and should forward them so as to reach that officer not later than the 5th of the month following that to which the accounts relate.

26. Officers in charge of opium depôts should credit as usual only the price recovered for opium sold by them, which in the case of stock opium should be credited to "Advances recoverable", and in the case of confiscated opium to "Gain." A uniform standard of weight has been prescribed in all cases where opium received into and issued from depôts has to be accounted for, according to which the full weight of a whole or half chest of opium should respectively be taken at 136 lbs. 4 t. 80 grs., or 68 lbs. 2 t. 40 grs., instead of at 140 lbs. or 70 lbs. avoirdupois.

27. Instructions regarding the opium accounts required by the Accountant General have been separately issued by that Officer.

28. Blank copies in English, Gujaráti and Maráthi of the several forms appended to this Circular will be obtainable on indent upon the Superintendent, Government Central Press.

J. L. JENKINS,
Commissioner of Customs,
Salt, Opium and A'bkári.

No. OF 190 .

Indent on the Collector of Customs and Opium, Bombay, for opium required for the Government depôt at _____ to meet probable requirements from { May October.
_____ to _____
November April.

				Number of Chests.	Weight in pounds of 40 toles each.		
					Lbs.	t.	gr.
Whole Chests			
Half Chests			
Total				...			

Dated at _____ 190 .

Officer in charge of the Dépôt.

BOMBAY CUSTOMS HOUSE.

Dated - 190 .

The undermentioned chests and quantities of opium have this day been despatched to _____ by _____ in compliance with the foregoing Indent:—

[illegible]

Asst. Collector in charge
Opium Dept.

Officer in charge of the Depot.

A.

(REVERSE.)

Report by the Dépôt Officer.

Dated at

190 .

The aforesaid chests arrived here on the
in the state described below. The result of the examination and
re-weighment of their contents is shown on the reverse.

State.

Officer in charge of dépôt.

To

The Collector of Customs and Opium,
Bombay.

 BOMBAY CUSTOMS HOUSE,

190 .

Forwarded to the Commissioner of Customs, Salt, Opium
and A'bkari.

Collector of Customs.

B.

Day-book of Opium Transactions at the Government Depot at

Date.	PARTICULARS.	Distinguishing Number of Chest.	QUANTITY IN LBS.		Price realized by sale of Opium.
			Cr.	Dr.	
			Lbs. t. gr.	Lbs. t. gr.	Rs. a. p.
April 1904.	1 Balance on hand—				
	Full whole chest	14	136 4 83		
	Do.	15	123 4 80		
	Whole chest partially full	13	120 7 0		
	Full half chest	18	63 2 40		
			460 13 20		
	Deficiency found on re-weighment at half-yearly stock-taking	14	.....	1 22 0	
	Do. do. do.	18	.....	0 10 0	
	Excess found on do. do. do.	15	0 10 0	.....
	Do. do. do.	13	0 21 0	.....
			0 34 0	2 1 0	
	4 Sold to licensed Vendor, A. B.	13	.....	20 0 0	240 0 0
	6 Sent to sub-depôt at C.	13	.....	61 22 0	.....
	Deficiency on re-weighment	19	.....	0 1 40	.....
			.....	67 23 40	.....
	9 Gross weight of half chests received from the Collector of Customs as per indent dated	50	69 2 40	.....	.....
	Result of re-weighment of chests on arrival—	51	63 2 40	.....	.....
	Excess	50	0 0 0	.....	.....
	Deficiency	51	.....	0 8 0	.....
	Issued to sub-depôt at D.	50	.....	63 11 40	.....
	Do. to do. E.	13	.....	62 0 0	.....
			136 13 80	129 10 40	.....
	18 Issued to the Native Chief of	14	.....	131 10 0	1,611 0 0
	Do. do. do.	13	.....	5 30 0	60 0 0
	Deficiency found on clearance	11	.....	0 12 80	.....
			.....	110 12 80	1,680 0 0
	29 Opium confiscated in case No. 30 tried by Magistrate, F. C., Mr. S. P.	A.	13 0 0	.....	.....
	Do. in case No. 51 tried by Magistrate, F. C., Mr. X.	B.	7 12 0	.....	.....
	Confiscated opium sold to licensed Vendor, K. M., at the special rate of 12 Rs. per lb. fixed by Collector's No. 9	A.	.....	13 0 0	153 0 0
	20-4-1904		20 12 0	13 0 0	156 0 0
	30 Issued to licensed Vendor, P. R.	13	.....	25 0 0	450 0 0
	Deficiency on clearance	15	.....	5 0 0	
	Do. on weighment at the time of being first opened for issue	13	.....	0 1 0	
		15	.....	0 6 70	
	Total of month's transactions ... ..	...	157 10 80	407 7 70	450 0 0
				411 23 20	2,556 0 0

ABSTRACT.

71

Opium Supplied by Collection of Cratons.										Consolidated Summary.				Grand Total.	
Items.	Distinguishing Numbers.										Distinguishing Numbers.				
	13	14	15	16	50	51	Total.	A.	B.	Total.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.		
Balance in hand at the commencement of the month ...	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.		
Received during the month...	120 7 0	130 4 80	130 4 50	63 2 40	63 2 40	64 2 40	470 18 20	13 0 0	7 12 0	20 12 0	150 18 20	150 18 80	1 3 0		
Excess found in stocks ...	0 24 0	0 10 0	0 10 0	0 0 0	0 0 0	0 0 0	1 3 0	13 0 0	7 12 0	20 12 0	1 3 0	1 3 0	0		
Total, Stock ...	120 31 0	130 4 80	130 11 50	63 2 40	63 11 40	64 2 40	497 25 100	13 0 0	7 12 0	20 12 0	150 18 20	150 18 80	0		
Sold to Licensed Vendors ...	53 0 0	134 10 0	5 0 0	0 0 0	63 11 40	0 0 0	60 0 0	13 0 0	0 0 0	13 0 0	150 18 20	150 18 80	0		
Issued to Native Chiefs ...	5 30 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	140 0 0	13 0 0	0 0 0	13 0 0	150 18 20	150 18 80	0		
Issued to Sub-depôts ...	60 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	105 33 10	13 0 0	0 0 0	13 0 0	150 18 20	150 18 80	0		
Total, Sales and Issues ...	120 30 0	134 10 0	5 0 0	0 0 0	63 11 40	0 0 0	305 33 40	13 0 0	0 0 0	13 0 0	150 18 20	150 18 80	0		
Deficiency ...	0 1 0	1 34 80	0 0 70	0 20 40	0 0 0	0 8 0	2 30 10	13 0 0	0 0 0	13 0 0	150 18 20	150 18 80	0		
Total of Issues and Deficiency ...	120 31 0	136 4 80	5 0 70	03 2 40	63 11 40	0 8 0	338 23 50	13 0 0	0 0 0	13 0 0	150 18 20	150 18 80	0		
Balance at the close of the month ...	...	...	131 8 10	...	...	67 34 40	189 2 50	...	7 12 0	7 12 0	150 18 20	150 18 80	0
Price realized by the sale of Opium—	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.		
To Licensed retailers ...	690 0 0	1,611 0 0	60 0 0	0 0 0	0 0 0	0 0 0	720 0 0	150 0 0	0 0 0	150 0 0	1,090 0 0	1,090 0 0	0		
To Native Chiefs ...	69 0 0	1,611 0 0	0 0 0	0 0 0	0 0 0	0 0 0	1,090 0 0	150 0 0	0 0 0	150 0 0	2,550 0 0	2,550 0 0	0		
Total ...	729 0 0	1,611 0 0	60 0 0	0 0 0	0 0 0	0 0 0	2,400 0 0	150 0 0	0 0 0	150 0 0	2,550 0 0	2,550 0 0	0		

Officer in charge of the Depot.

Opium Stock

Distinguishing Number of Chest or Parcel.	Balance.			Addition.			Deduction.		
	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.
	1st April 1904.			4th April 1904.			6th April 1904.		
18 ...	120 7 0	0 24 0	...	120 31 0	...	20 0 0	100 31 0	...	...
14 ...	138 4 80	...	1 23 0	134 22 80	...	...	134 22 80	...	...
15 ...	138 4 80	0 10 0	...	138 14 80	...	...	138 14 80	...	...
18 ...	68 2 40	...	0 19 0	67 23 40	...	...	67 23 40	...	67 23 40
50 ...	...	...	...	...	...	...	...	...	...
51 ...	...	...	...	...	...	...	...	...	...
A ...	...	...	...	...	...	...	...	...	...
B ...	...	...	...	...	...	...	...	...	...
Total ...	460 18 20	0 34 0	2 1 0	459 11 20	...	20 0 0	439 11 20	...	67 23 40
	30th April 1904.			1st May 1904.					
13 ...	35 1 0	...	35 1 0	...					
15 ...	138 14 80	...	5 6 70	131 8 10					
51 ...	67 34 40	...	...	67 34 40					
B ...	7 12 0	...	...	7 12 0					
Total ...	246 21 120	...	40 7 70	206 14 50					

D.

Account of opium transactions of the Government Depôt in
the month of 190 .

for

Distinguishing Number of each Chest and Parcel.	Balance at the end of last month.		Received during the month.		Excess found in Stocks.		Total Stock.		Sold during the month.		Deficiency found in Stocks.		Balance at the end of the month.	
	Lbs.	t. gr	Lbs.	t. gr	Lbs.	t. gr	Lbs.	t. gr	Lbs.	t. gr	Lbs.	t. gr	Lbs.	t. gr
(a) Opium supplied by Col- lector of Customs.														
No.	...													
"	...													
"	...													
"	...													
"	...													
"	...													
Total	...													
(b) Confiscated opium														
No.	...													
"	...													
"	...													
"	...													
"	...													
"	...													
"	...													
Total	...													
(c) Opium surrendered by Licensees.														
No.	...													
"	...													
"	...													
"	...													
"	...													
Total	...													
(d) Opium obtained under Commissioner's special order.														
No.	...													
"	...													
"	...													
Total	...													
Grand Total	...													

NOTE.—Transactions of confiscated opium, together with their total, should be shown in red ink.

Dated at

190 .

Forwarded to the Chief Account Officer of Customs, Salt and Opium, Bombay. Subsidiary
Accounts D-1, D-2 (with its Appendix), and D-3 accompany.

Officer in charge of the Depôt.

Details of Quantities of Opium accounted for as "Excess" or "Deficiency" in the accounts of the
for the month of

Depdt.

190 .

Dis- tinguish- ing Num- ber of Chest and Parcel accounts.	A.	B.	C.	D.	E.	F.	G.	TOTAL.		References to the characters noted in the headings of columns.
								Excess.	Deficiency.	
	Lbs. t.	gr. Lbs. t.	gr. Lbs. t.	gr. Lbs. t.	gr. Lbs. t.	gr. Lbs. t.	gr. Lbs. t.	gr. Lbs. t.	gr. Lbs. t.	
										A.—For difference between involved weight and weight ascertained by re-weighment on arrival of opium at its destination.
										B.—For difference between recorded weight and the weight ascertained by re-weighment—on a chest being first opened for issue.
										C.—do. at monthly stock-taking.
										D.—do. at half-yearly do.
										E.—do. at stock-taking by controlling officers.
										F.—do. at stock-taking on special occasions.
										G.—Excess or deficiency found on clearance of a chest.
										Note (1).—In column one, only those chests or parcels should be shown in respect of which any excess or deficiency has been recorded in the day- book during the month.
										(2).—In column two, letter H. should be entered to denote entries in Huzār accounts and letter T. to denote entries in Tāluka accounts.
										(3).—In columns A to G excesses should be marked + (plus) and deficiencies should be marked - (minus); the total of plus entries being entered in the last column under "Excess" and of minus entries in the same column under "Deficiency."

Officer in charge of the Depdt.

Distribution of Quantities of Opium sold from the Depot during the month of 190 , and the values realized therefor.

Distribution of Quantities

Names of Traders to the Licensed Vendors of opium at the Native Chops to whom opium was sold	Prima- retail shops	OPUM SUPPLIED BY COLLECTOR OR CUSTOMS OR BY ORDER OF COMMISSIONER.						CONFISCATED OPUM.						OPUM LOCALLY PURCHASED AND PAID FOR.				Total Quantity sold from 1st April to end of this month.				
		Quantity.			Rate per lb.	Value realized.	Lbs.	t.	gr.	Quantity.	Rate per lb.	Value realized.	Lbs.	t.	gr.	Quantity.	Rate per lb.	Value realized.	Lbs.	t.	gr.	
Traders																						
Do.																						
Do.																						
Do.																						
Do.																						
Do.																						
Do.																						
Do.																						
Do.																						
Do.																						
Total																						
Native Chief of																						
Do.																						
Total																						
Grand Total																						

NOTE.—Transactions of confiscated opium, together with their total, should be shown in red ink.

Officer in charge of the Depot.

Dated . Officer in charge of the Depot.

D-3.

Statement of Receipts and Expenditure on account of Opium for
the District for the month of 190 .

Items.	Estimate or assessment for the whole year.			From 1st April to end of preceding month.			During current month.			From 1st April to end of current month.		
	2			3			4			5		
1												
	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.
<i>Receipts.</i>												
License fees for privilege of retail vend of opium												
Sale-proceeds of confiscated opium												
Do. of property confiscated, other than opium												
Fines												
Miscellaneous *—												
Total, Receipts ...												
<i>Expenditure.</i>												
Establishment												
Travelling allowance to Establishment ...												
Petty supply allowance												
Official postage												
Service Telegrams												
Dead-stock articles, including scales and weights												
Printing and advertising charges												
Opium packing charges												
Opium conveyance charges												
Rewards												
Other items*												
Total, Expenditure ...												
Refunds*—												
Total, Refunds ...												
Price realized by the sale of opium supplied by Collector of Customs or by order of Commissioner												
Price paid for opium locally purchased ...												
Price realized by sale of opium locally purchased												
Amount written off as loss resulting from opium locally purchased												
Balance outstanding on account of opium locally purchased												

NOTE.—Details of items marked * should be given in respect only of amounts entered for current month.

Officer in charge of the Depôt.

APPENDIX 15.

RULES FOR THE SUPPLY AND ISSUE OF OPIUM TO AND FROM
SUB-DEPÔTS (TALUKA TREASURIES) IN THE PROVINCE OF
SIND AND FOR THE KEEPING OF ACCOUNTS THEREOF.

Supply of Opium to Sub-depôts.

Opium transactions are regulated by the Indian Opium Act, 1878, and the rules framed thereunder. Supplies of Opium will be received at Taluka offices (sub-depôts) from the Huzur for sale to licensed vendors.

2. Opium required to replenish stocks at the sub-depôts should be obtained by indents, which should be forwarded half-yearly in the beginning of February and August in each year to the Huzur depôt. Each indent should be prepared in the accompanying Form A, and should state the number of whole and half chests wanted to meet the probable requirements of the indenting sub-depôt during the half-year, in the case of an indent prepared in February, from May to October, and in the case of an indent prepared in August, from November to April. The indent should be sent to the Huzur Deputy Collector in triplicate.

3. Opium indented for in February will be forwarded by the Huzur Deputy Collector to the indenting sub-depôts before the end of April following, and Opium indented for in August will be forwarded similarly before the end of October following.

4. If Opium be required by a sub-depôt before the time fixed for supply on a half-yearly indent, a special indent may be forwarded to the Huzur depôt with an explanation of the circumstances rendering its submission necessary. The submission of special indents should be avoided as much as possible.

5. Along with the consignment of Opium sent in compliance with each indent, the Huzur Deputy Collector will return to the Mukhtiarkar two copies of the indent, after completing the portions thereof intended to be filled up by him, showing the number of whole and half chests sent, the distinguishing number marked on each, and the mode in, and the route by, which they have been despatched.

6. On arrival of the consignment at its destination, the Mukhtiarkar should carefully examine the outward appearance of the chests to see that they have not been tampered with in transit, and should then open each chest, weigh out its contents by standard weights,* note down the weight thus ascertained, re-pack the Opium in the same or other receptacle as may be convenient (if another receptacle is used, the number on the original chest should be marked thereon), and then seal the said receptacles and deposit them in the sub-treasury. When the weighment of all chests forming the consignment is completed, he should write the required report, showing the result of the weighment, below the copies of the indents returned by the Huzur Deputy Collector along with the consignment, and re-transmit one copy to that officer, retaining the other copy for his records.

Issue of Opium to Licensed Vendors.

7. A single chest should be opened at a time for the issue of Opium, and no other chest should be opened until the whole of the contents of the first has been cleared. This restriction does not apply in the case of small parcels of Opium surrendered by retailers and farmers, which should be disposed of as

* Lbs. of 40 tolas each.

quickly as possible; nor in the case of a demand for a whole or half chest at one time by any one person, which may be met by the issue of a full whole or half chest that may be in stock.

8. The contents of every chest opened for issue should be weighed, and the weight noted down, before any Opium is issued from it.

9. No Opium should be issued from a sub-depôt without being actually weighed.

10. Except in the case of Opium transferred from one sub-depôt to another, full price at the fixed issue rate in force for the time being should be recovered for Opium issued from a Government sub-depôt (unless, in the case of confiscated Opium, the Collector shall have fixed a special rate to be charged for it, when the special rate fixed for it should, of course, be charged). Each ball of Opium issued from the sub-depôt should be sealed in the prescribed manner.

Periodical Examination of Opium Stocks.

11. On the 1st of each month, the Officer in charge of a sub-depôt shall carefully examine each of the sealed-up chests and parcels of Opium in stock, and weigh the contents of any that may show indications of having been tampered with, as well as of the chest then open for the issue of Opium. On the 1st April and 1st October of each year, the contents of all chests and parcels in stock should be re-weighed by the same officer. Stock should also be taken once in every six months by the Collector, or by the Assistant or Deputy Collectors in charge of the taluka, as well as on special occasions rendering such stock-taking necessary.

Accounts.

12. The supply and issue of Opium to and from Government sub-depôts should be made and recorded in pounds, each pound being taken as equal to 40 tolas, and a tola being taken as equal to the weight of a British Indian Rupee, weighing 180 grains.

13. The Officer in charge of each sub-depôt shall keep a Day Book in the annexed Form B, in which he should enter from day to day the quantities of Opium received and issued by him, as well as any excess or deficiency on the recorded weight of stocks found on re-weighment thereof in accordance with the provisions of the foregoing rules. The distinguishing number or character of the chest or parcel to which each entry made in the account relates should be noted in the column provided for that purpose.

14. In the case of Opium sold from a sub-depôt, the name of the person to whom it is sold and the price recovered from the purchaser should be noted in the appropriate columns of the account.

15. In the case of Opium received from a Huzur depôt, the full weight of each chest or parcel as advised by the despatching officer should be credited by the receiving officer in his accounts, and any difference between that weight and the weight ascertained by actual weighment on arrival should be adjusted by him as "Gain" or "Loss," as the case may be.

16. The Opium Day Book should be balanced at the end of every month, and at no other time. A separate Balance Book in the annexed Form C should be kept, in which the Officer in charge should enter from day to day the weight of each chest or parcel of Opium added to the stock, and the quantities issued or written off daily from each, and should bring forward the balances for the next day.

17. On the last day of each month on which the sub-treasury accounts for the month are usually closed, an abstract of the Opium transactions of the month should be prepared in the form given on the reverse of Form B, appended hereto.

18. A copy of the abstract, together with details of the excesses and deficiencies adjusted during the month, as per Form D-1, should be sent immediately after the close of each month's accounts by the Officer in charge of a sub-depôt to the Officer in charge of the Huzur depôt to whom he is subordinate.

19. The full weight of a whole chest or half chest of Opium should respectively be taken at 136 lbs. 4 tolas and 80 grains or 68 lbs. 2 tolas and 40 grains.

20. Licensed vendors supplied from the Taluka sub-depôts are required to submit in Form E annexed hereto monthly accounts of receipts and issues to the Mukhtiarkar, who, after seeing that the amounts supplied from the sub-depôt are properly entered, should prepare a consolidated return in Form F and submit it to the Huzur.

By order,

W. F. HUDSON,

Assistant Commissioner in Sind.

Karachi, 10th March 1905.

A.

No. of 190 .

INDENT on the Huzur Deputy Collector,
 required for the Government sub-depôt at _____, for Opium
 to meet probable
 requirements from { May to _____ 190 .
 November April

	Number of Chests.	Weight in lbs. of 40 tolas each.		
		Lbs.	t.	gr.
Whole Chests 				
Half Chests 				
TOTAL ...				

Dated at _____
 _____ 190 .

Officer in charge of the Sub-Depôt.

HUZUR TREASURY,

Dated _____ 190 .

The undermentioned Chests and Quantities of Opium have this day been
 despatched to _____ by
 in compliance with the foregoing Indent :—

PARTICULARS OF DESPATCH.				RESULT OF EXAMINATION ON ARRIVAL AT DESTINATION.												
Whole or Half Chest.	Dis- tinc- tish- ing No. of each.	No. of Bottles in each.	Weight in lbs. of 40 tolas each.			No. of Bottles in each.	Weight in lbs. of 40 tolas each.			Difference in Weight.						RE- MARKS.
			Lbs.	t.	gr.		Lbs.	t.	gr.	More.			Less.			
													Lbs.	t.	gr.	Lbs.	t.	gr.

Huzur Deputy Collector.

A.

(REVERSE.)

Report by the Sub-Depôt Officer.

Dated at

190

The aforesaid Chests arrived here on the
in the state described below. The result of the examination and re-weighment
of their contents is shown on the reverse.

State.

Officer in charge of the Sub-Depôt.

To

The Huzur Deputy Collector,

B.

DAY BOOK OF OPTIUM TRANSACTIONS at the Government Sub-Depôt at
in the District of

Date.	Particulars.	Weighing Number of Chook.	QUANTITY IN LBS.		Price realised by sale of Optium.	REMARKS.
			Cr.	Dr.		
			Lbs. t. gr.	Lbs. t. gr.	Rs. a p.	
1	Balance in hand—					
	Full whole Chest	14	138 4 80			
	Do.	15	135 4 80			
	Whole Chest partially full	13	121 7 0			
	Full half Chest	15	63 2 40			
			457 13 20			
"	Deficiency found on re-weigh- ment at half-yearly stock- taking	14		1 23 0		
	Do. do.	15		0 19 0		
	Excess found on re-weighment at half-yearly stock-taking	15	0 10 0			
	Do. do.	13	0 24 0			
			0 34 0	2 1 0		
4	Sold to Licensed Vendor A. B.	13		20 0 0	320 0 0	Rupees three hundred and twenty only credited at page of Day Book.
6	Sent to sub-depôt at C. (as per Huzur Deputy Collector's No. dated)	18		67 22 0		Treasurer, Head Munshi, MukhtiarKar.
	Deficiency on re-weighment	13		0 1 40		
				67 23 40		
9	Gross weight of half Chests received from the Huzur Deputy Collector as per Indent, dated	50 51	65 2 40 65 2 40			
	Result of re-weighment of Chests on arrival—					
	Excess	50	0 9 0			
	Deficiency	51		0 8 0		
	Issued to sub-depôt at D. (as per Huzur Deputy Collector's No. dated)	50 13		65 11 40 60 0 0		
			136 13 80	123 19 40		
13	Sold to Licensed Vendor F. G.	13		5 30 0	92 0 0	
	Deficiency found on Clearance	14		0 12 80		
				6 2 80	92 0 0	Rupees ninety-two only credited at page of Day Book.
23	Optium confiscated in Case No. 39 tried by Magistrate, P. C. Mr. R. P.	A.	13 0 0			Treasurer, Head Munshi, MukhtiarKar.
	Optium confiscated in Case No. 51 tried by Magistrate, F. C. Mr. X.	B.	7 12 0			
	Confiscated Optium sold to Licensed Vendor R. M. at the special rate of Rs. 12 per lb. fixed by Collector's No. 254-124	A.		13 0 0	156 0 0	
			20 12 0	13 0 0	156 0 0	
30	Issued to Licensed Vendor P. R.	13		25 0 0	640 0 0	Rupees one hundred and fifty-six only credited at page of Day Book. Treasurer, Head Munshi, MukhtiarKar.
	Deficiency on Clearance	15		5 0 0		
	Do. on Weighment at the time of being first opened for issue	13		0 1 0		
				0 6 70		
				40 7 70	640 0 0	Rupees six hundred and forty only credited at page of Day Book. Treasurer, Head Munshi, MukhtiarKar.
	Total of Month's Transactions		107 12 80	277 13 50	1,208 0 0	

April 1901.

ABSTRACT.

85

Items.	OFFICE SUPPLIED FROM HAZUR DERGAT.										CONTINGENT OFFICE.				GRAND TOTAL.
	Distinguishing Numbers.										Distinguishing Numbers.				
	Distinguishing Numbers.										Distinguishing Numbers.				
	13	14	15	18	50	51	Total.	A.	B.	Total.	A.	B.	Total.		
Balance in hand at the commencement of the Month.	Lbs. t. gr. 120 7 0	Lbs. t. gr. 136 4 80	Lbs. t. gr. 136 4 80	Lbs. t. gr. 68 2 40	Lbs. t. gr. 68 2 40	Lbs. t. gr. 68 2 40	Lbs. t. gr. 460 18 20	Lbs. t. gr. 13 0 0	Lbs. t. gr. 7 12 0	Lbs. t. gr. 20 12 0	Lbs. t. gr. 13 0 0	Lbs. t. gr. 7 12 0	Lbs. t. gr. 20 12 0	Lbs. t. gr. 60 18 20	
Received during the Month.	...	...	...	...	...	...	136 4 80	...	...	...	...	...	...	156 16 80
Excess found in Stocks	0 24 0	...	0 10 0	...	0 9 0	...	1 3 0	...	...	...	...	...	...	1 3 0
TOTAL STOCK	120 31 0	136 4 80	136 14 80	68 2 40	68 11 40	68 2 40	597 25 100	13 0 0	7 12 0	20 12 0	13 0 0	7 12 0	20 12 0	617 37 100	
Sold to Licensed Vendors	60 30 0	...	5 0 0	...	...	...	65 30 0	13 0 0	...	...	...	...	...	78 30 0
Issued to Sub-depôts	60 0 0	...	...	67 22 0	68 11 40	...	196 33 40	...	...	...	...	...	...	195 33 40
TOTAL SALES AND ISSUES	120 30 0	...	5 0 0	67 22 0	68 11 40	...	261 23 40	13 0 0	...	...	...	...	...	274 23 40
Deficiency	0 1 0	1 34 80	0 6 70	0 20 40	...	0 8 0	2 30 10	...	...	...	...	...	...	2 30 10
TOTAL OF ISSUES AND DEFICIENCY	120 31 0	1 34 80	5 6 70	68 2 40	68 11 40	0 8 0	264 13 50	13 0 0	...	...	...	...	...	277 13 50
Balance at the close of the Month	...	134 10 0	131 8 10	...	...	67 34 40	333 12 50	...	7 12 0	7 12 0	...	...	...	340 24 50
Price realised by the sale of Opium—	Rs. a. p. 972 0 0	Rs. a. p. 80 0 0	Rs. a. p. 80 0 0	Rs. a. p. 80 0 0	Rs. a. p. 80 0 0	Rs. a. p. 80 0 0	1,052 0 0	Rs. a. p. 156 0 0	Rs. a. p. 156 0 0	Rs. a. p. 156 0 0	Rs. a. p. 156 0 0	Rs. a. p. 156 0 0	Rs. a. p. 156 0 0	1,203 0 0	
To Licensed Retailers	...	...	...	...	...	...	1,052 0 0	...	...	...	...	...	...	1,203 0 0
TOTAL	972 0 0	...	80 0 0	...	...	...	1,052 0 0	156 0 0	...	156 0 0	156 0 0	...	156 0 0	1,203 0 0

Officer in charge of the Sub-Depôt.

OPIUM STOCK

Distinguishing Number of Chest or Parcel.	Balance.	Addition.	Deduction.	Balance.	Addition.	Deduction.	Balance.	Addition.	Deduction.
	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.	Lbs. t. gr.
	1st April 1904.			4th April 1904.			6th April 1904.		
13 ...	120 7 0	0 24 0	...	120 31 0	...	20 0 0	100 31 0	...	...
14 ...	138 4 80	...	1 22 0	134 22 80	...	...	134 22 80	...	...
15 ...	136 4 80	0 10 0	...	138 14 80	...	...	138 14 80	...	...
16 ...	63 2 40	...	0 19 0	67 23 40	...	...	67 23 40	...	67 23 40
50 ...	...	...	...	...	...	...	...	...	...
51 ...	...	...	...	...	...	...	...	...	...
A ...	...	...	...	...	...	...	...	...	...
B ...	...	...	...	...	...	...	...	...	...
TOTAL ...	450 18 20	0 34 0	2 1 0	452 11 20	...	20 0 0	439 11 20	...	67 23 40
	8th April 1904.			1st May 1904.					
13 ...	35 1 0	...	35 1 0	...	...	...
14 ...	131 10 0	...	...	134 19 0	...	...	
15 ...	136 14 80	...	5 6 70	131 8 10	...	...	
18 ...	...	...	...	...	...	...
50 ...	...	...	...	...	...	...
51 ...	67 34 40	...	...	67 34 40	...	...	
A ...	...	...	...	...	...	...
B ...	7 12 0	...	...	7 12 0	...	...	
TOTAL ..	380 31 120	...	40 7 70	349 24 50	...	...	

BALANCE BOOK.

[illegible]

DETAILS OF QUANTITIES OF OPIUM ACCOUNTED FOR AS "EXCESS" OR "DEFICIENCY" for the Month of

190

Sub- dept.	Distinguishing Number of Chest and Parcel.	A.		B.		C.		D.		E.		F.		G.		TOTAL.		Reference to the characters noted in the headings of columns.
		Libs.	t. gr.	Lbs.	t. gr.	Lbs.	t. gr.	Lbs.	t. gr.	Lbs.	t. gr.	Lbs.	t. gr.	Lbs.	t. gr.	Excess.	Deficiency.	
		Libs.	t. gr.	Lbs.	t. gr.	Lbs.	t. gr.	Lbs.	t. gr.	Lbs.	t. gr.	Lbs.	t. gr.	Lbs.	t. gr.	Lbs.	t. gr.	
																		A.—For difference between involved weight and weight ascertained by re-weighing on arrival of Opium at its destination. B.—For difference between recorded weight and the weight ascertained by re-weighing on a chest being first opened for issue. C.— Do. do. at monthly stock-taking. D.— Do. do. at half-yearly do. E.— Do. do. at stock-taking by controlling officers. F.— Do. do. at stock-taking on special occasions. G.—Excess or deficiency found on clearance of a chest. Note (1).—In column 2, only those chests or parcels should be shown in respect of which any excess or deficiency has been recorded in the Day Book during the month. (2).—In columns A to G, excesses should be marked + (plus) and deficiencies — (minus) the total of plus entries being entered in the last column under "Excess" and of minus entries in the same column under "Deficiencies."

E.

ACCOUNT OF OTHER TRANSACTIONS of the Licensed Retail Opium Vendor of
in the Taluka for the Month of 190 .

Annual License Fee for 190 -190Rs.

Note.—The account should be made up in pounds, a pound being reckoned as equal to 40 tolas of 180 grains each.

ACCOUNT OF QUANTITIES OF OPIUM issued to and sold at authorised Shops.

	During current Month.			From 1st April to end of current Month.		
	Lbs.	t.	grs.	Lbs.	t.	grs.
Opening Balance						
Brought from the local Government Sub-depôt.						
Total ...						
Sold at the Shop						
Loss from Dryage, &c.						
Closing Balance						
Total ...						

Taluka for the month of

190

[illegible]

Submitted to the Huzur Deputy Collector,

Mukhtiarkar of

